Interview with Dawn Clark Netsch

ISL-A-L-2010-013.07

Interview # 7: September 17, 2010

Interviewer: Mark DePue

DePue: Today is Friday, September 17, 2010 in the afternoon. I'm sitting in an office located in the library at Northwestern University Law School with Senator Dawn Clark Netsch. Good afternoon, Senator.

Netsch: Good afternoon. (laughs)

DePue: You've had a busy day already, haven't you?

Netsch: Wow, yes. (laughs) And there's more to come.

DePue: Why don't you tell us quickly what you just came from?

Netsch: It was not a debate, but it was a forum for the two lieutenant governor candidates sponsored by the group that represents or brings together the association for the people who are in the public relations business. I think its initials are CPAK or something of that sort. They have programs from time to time and not surprisingly have public figures or people who can talk about public events, since they're all involved in public relations in one way or another, some of them for private companies and some in other respects. I'm not a member, obviously, but one of my good friends, who actually was my press spokeswoman when I ran for governor is, and so she had called back some time ago and said that this was happening and invited me and another of

our mutual friends to attend. So it was a forum—not a debate—not literally a debate, anyway—a forum between the two lieutenant governor candidates.

DePue: Who are…?

Netsch: Sheila Simon and…

DePue: Plummer.

Netsch: Plummer, yeah. Jason, right?

DePue: That sounds right.

Netsch: Yes. Why did I go blank on that? Goodness. Because we haven't seen much of him around, actually.

DePue: We are here today, though, to talk about your own personal career. Today's subject is going to be exclusively on the Equal Rights Amendment issue in Illinois; it has a long history, that battle.

Netsch: Yes, which started before I was actually in the legislature, even.

DePue: If you don't mind, I'll take a little bit of time just to set things up, and certainly you can correct the record if I get something wrong here. March of 1972 is when the Equal Rights Amendment emerged from the U.S. Congress, and therefore it goes to the states. The seven-year clock starts clicking at that time in March of 1972, so that means 1979 is the time limit [for ratification] that we've got here. Thirty-eight states are going to be needed for it to be ratified by 1979.

Netsch: That is correct.

DePue: Illinois was one of many states that took it up that first year, in 1972. This obviously precedes your time in the state legislature, but because you were at the Constitutional Convention, you'd already had an impact on this whether you realized it at the time or not. So let's talk about how the three-fifths rule came about in the 1970 Illinois state constitution.

Netsch: Well, my recollection is that it grew particularly out of some amendments that were floating around the states at that time. Let me go back half a step and say that it probably is a perfect example of why you should never write a constitution in light of today's headlines and hot issues, because the hot issue then, if my recollection is correct, were some amendments that I think got to be known as the Dirksen Amendments. They were really a response to some of the U.S. Supreme Court's decisions and one-person-one-vote—some of the Warren Court decisions, if you will. There were three amendments, I think, one of which would have created a court that was sort of a supermajority over all of the state supreme courts, that is, a court that would have been allowed,

in effect, to overrule what state supreme courts did. Another one, I think, dealt directly with the redistricting issue and made it clear that one-person-one-vote was not applicable, at least in both houses of the state legislature, and…

DePue: School prayer, perhaps?

Netsch: No, no, I don't think it had anything to do with school prayer. It had to do mostly with that kind of thing. I'll think of the other one at some point. But they were all very anti–U.S. Supreme Court and anti- the federal government being dominant; they were very much states' rights decisions. The other one had something to do with the states being able to overturn a decision that was made at the federal level. The precise details will come back to me (laughs) at some moment. But very pro–states' rights. They were making their way around the state legislatures and were getting very close to having enough state legislatures which had proposed a federal constitutional convention for the purpose of considering these amendments that, although it was not generally known among (laugh) the citizenry as a whole, some political scientists were getting very concerned about this.

In Illinois, I think, the state legislature had had the proposals before it but I believe had not at that moment adopted it. But we were about two states short of a resolution to convene a federal constitutional convention for the purpose of considering these states' rights decisions. The concern was that Illinois might become part of helping to seal that. Now, nobody knew what would happen if indeed the required number of states did pass the resolution to convene a federal constitutional amendment, because there would have been all sorts of challenges, whether they all did it in the same language and a whole variety of other things. But it had never happened before, (laughs) so nobody knew what was going to take place.

There was a good deal of concern about this. I think probably more than anything, it was the idea of not allowing something like that to quietly sneak up and take a hold that very likely led to the proposal in the constitutional convention that, Gee whiz, if we're going to do something with the federal constitution, we really ought to know what it is and make sure that there's time to think about it and that we know exactly what we're doing, and, you know, very, very, very serious matter. So that was, I think, probably at least one of the reasons—there may have been others—that those on the election and franchise committee were aware of, but that certainly was one of the things that many of us were very conscious of. So one of the ways of slowing the process down was to require a three-fifths vote, not only to call the convention, but for ratification of a proposed amendment.

DePue: Some have characterized this as a desire to change the Illinois constitution to make it easier to amend the Illinois constitution from what was in the 1870 model where you had to have, I think, a simple majority in elections. But in the case in those elections, an awful lot of people didn't even bother to vote on

the constitutional amendments because they didn't understand it and they didn't know what was going on, so you very rarely got to a simple majority in the election. So the three-fifths rule in the 1970 constitution was seen as loosening that process up.

Netsch: Well, but that was the three-fifths rule on amendments to the state constitution. What we've been talking about for the last few minutes is how you deal with proposed amendments to the U.S. constitution. So we sort of adopted the three-fifths rule in part because we had already decided to make it a three-fifths requirement for adopting amendments to the Illinois constitution, but also because we wanted to do something to kind of slow down the process of ratification or proposing amendments to the U.S. constitution, a much more dramatic thing. It was something which most of us had never even dealt with at all in our lifetimes, that is, dealing with proposed changes to the federal constitution—very, very rare—and we just wanted to make sure that everyone was going to have to look at it. Of course, we hadn't even thought about the fact that it would affect the Equal Rights Amendment. I suppose you could say as a result of the lawsuits, in one sense it did not. What happened was that a lawsuit first was filed by Representative Giddy Dyer, a suburban Republican who was very strongly pro-ERA, to change—I think the House by then had already adopted a three-fifths requirement—and the lawsuit was intended to overturn the provision in the state constitution that required a three-fifths vote to ratify a proposed federal constitutional amendment. So she filed that lawsuit challenging basically on behalf of the House. I don't remember how much longer, but at some point I filed a similar lawsuit when the issue became a hot one in the Senate, the same basic challenge. Then our two lawsuits were consolidated and a three-judge federal court was convened, which was required under federal law at the time. The three-judge federal court ruled that our state constitutional provision requiring a three-fifths majority to ratify an amendment to the U.S. constitution was invalid, was basically unconstitutional, because there was no such requirement, no such barrier, no such obstacle, if you will, written into the U.S. constitution having to do with ratification, therefore it could not be done as a matter of state constitutional law. But in the process—and bear in mind I haven't read this decision for some years now—but in the process the court said that of course the two houses of the state legislature nevertheless have to set up procedures that govern ratification proposals, so in effect they can set up any kind of procedures they want to, and that—

DePue: Which puts it back in your lap again, then.

Netsch: That put it right back in the lap of the state legislature. Lo and behold, I would say within two weeks—I may be exaggerating, but I don't think so—within two weeks the Senate had adopted a rule which required a three-fifths vote to ratify a proposed constitutional amendment. I should point out that the Senate at that point was under Republican leadership. I think Bill Harris was the Senate president at the time, and they had lots of votes for doing that. So

immediately, the three-fifths requirement was really back in effect even though it was, and still presumably is, a violation of the federal constitution to invoke our state constitutional provision requiring the three-fifths vote. One of the fascinating things about all of this was that one of the judges on that three-judge federal panel was John Paul Stevens.[1]

DePue: Well, I read that he actually wrote the—

Netsch: He wrote the decision, yes.

DePue: He wrote the decision, and it was a unanimous decision.

Netsch: I believe it was, yes. Once when I was at some function—he's of course a graduate of our law school and one of my role models of all time—but I remember once sitting next to him at a dinner at some kind of a function, I will say I nicely chided him a little bit about that. I said, "Okay, you did the right thing in invalidating our constitutional three-fifths requirement. Couldn't you have stopped there instead of saying, 'But, you know, they can do anything they want under their own rules'?" (laughter) I said, "That basically kept us from **ever** adopting the federal Equal Rights Amendment.

DePue: I wanted to go back and touch on a couple things here. I have seen it written where you discussed the rationale for why in the constitutional convention you decided to apply the three-fifth rule to federal amendments as well. I've seen it written that it was basically an afterthought in the Constitutional Convention. You would disagree with that, then?

Netsch: When you say "afterthought," afterthought after what?

DePue: That the primary reason for the three-fifth rule was to loosen up amending requirements for the state constitution, and it's, Oh, well, we might as well apply it to the federal constitution as well. That's not how you've characterized it at all.

Netsch: Well, that's interesting. That's sort of not my recollection. Maybe it's because I was much more aware of these proposed resolutions that were floating around that would have called on Congress to convene a constitutional convention at the federal level, and I guess in part because I taught state law and I was certainly very much aware of them. So maybe that's more in my mind than it was in the minds of some of the other delegates. I have not gone back and reread the transcript on this, (laughs) but I would be surprised if Peter Tomei, who chaired the elections and franchise committee and some of the others were not also aware of the fact that that was happening and might have been somewhat influenced by it. I'm not prepared to disagree with that characterization, but I know that I at least had something else in mind, something more in mind, I should say.

[1] In December 1975 Stevens became an Associate Justice of the Supreme Court of the United States.

DePue: Well, what we've been discussing here is just the kind of minor procedural things that everybody kind of yawns about when they first hear the discussion, then you realize, Oh my God, the implications are huge.

Netsch: Yes, right, right. Well, and again, one reason why—I guess in part because my explanation of why we did this may be a little more melodramatic than some of the other explanations that you've heard—it certainly does suggest if there's even a kernel of validity (laughs) in my recollection that constitutions are not for today, here and now; they are intended to have a longer-range impact, so you shouldn't write them in light of today's headlines.

DePue: Okay. I'm going to get back to a question for you, but I did want to mention a couple things here, and again, you can correct me if you think I'm wrong in this case. But I believe that Representative Dyer and—what was the other name I was looking at—Eugenia—

Netsch: Chapman.

DePue: —Chapman were the—

Netsch: Genie Chapman, yes.

DePue: —were the ones who brought this forward. That was in 1973, and it was dismissed because the Senate in that particular year had not actually passed anything, so they didn't think it had standing on that case. Then the following year, 1974, is when you brought your suit.

Netsch: Yeah, my recollection is that mine came after the one that Giddy and Eugenia had filed. Of course, they'd been on the scene longer than I had, anyway.

DePue: Well, you weren't even in the Senate that first year.

Netsch: I wasn't even in the Senate the first year, and they had already been working on the Equal Rights Amendment.

DePue: So here's the crucial question for you: in retrospect today, looking back, what do you think should have been written in that Constitutional Convention in 1970 with respect to federal amendments?

Netsch: Well, given the court decision, I think there's (laughs) no question that we should not have written a three-fifths requirement in; we should just have either not specified, in which case it would be presumably the normal way of dealing with such things, or maybe even specified a majority vote rather than a three-fifths vote. I mean, clearly, at least at the moment, anyway, we cannot by constitution require something that is not provided for or authorized for ratification in the U.S. constitution. Now, the only reason for dealing with the subject at all then in the Illinois constitution would be if we had decided we wanted to make sure that by rule, you couldn't have an extraordinary vote or

something different from a regular majority vote. I don't think that would have occurred to us at the time we were writing the Illinois constitution.

DePue: But why would you want to have a different bar for passage for an amendment to the state constitution versus an amendment to the federal constitution?

Netsch: Well, in part because the court told us we couldn't (laughs) necessarily do it differently. Bear in mind two things. Number one is, when you're talking about either the resolutions to call on Congress to convene a federal constitutional amendment—that was the side of it I was particularly conscious of back in 1970—or, much more commonly, and indeed not very common at that, in a move to ratify something that has been proposed by Congress you're not dealing alone, then. Illinois doesn't control it; you've got fifty states which are participating in it one way or the other. I suppose one state could require like a seventh-eighth majority to ratify a federal constitutional convention, and if only a couple of states did that, they could prevent something from happening that was very widely supported. So I think there's some good argument that, okay, you've got fifty states which have the right to participate in this decision, and that's enough of a broad view, so why shouldn't it just be by majority vote everywhere?

DePue: Theoretically, if you had fifty states and the states have the power to determine their own process for adopting these, you could have fifty distinct, different ways of actually **doing it**.

Netsch: Oh, yes, yeah. That's what I was saying, you could have different votes required in different states and different procedure. So there's something to be said for what the court did. I'll give Justice Stevens that much. (laughs)

DePue: Okay. We'll go back to 1972, and I'll mention another theory here in terms of what happened in 1972. That's the first year that it goes before the State of Illinois. Other states had already passed it at the time, but Illinois was early on this process.

Netsch: Yes, it was, I do remember that.

DePue: Governor Ogilvie, a Republican, supported it, and the House, by May sixteenth, just a couple months after this, had failed to pass it. Now, by this time—I don't know if I've got the dates right—but I can tell you that in talking to Governor Edgar, when he was merely an aide to [Senator Russell] Arrington and an aide to Blair [W. Russell Blair was a Republican, and Speaker of the Illinois House from 1971-75] probably at that time—

Netsch: Blair.

DePue: —here's how he remembers that first vote going down—you probably recall this very well—that this is kind of a carryover from the 1968 Democratic convention. After the 1968 Democratic convention the Democratic Party

rewrote the laws for determining their delegates to the national constitution—or national—

Netsch: Conventions.

DePue: —conventions. They changed it so that the minorities and women and youth and other groups were more fairly represented—that was the language that they used. So early in the 1972 campaign, the delegates to the convention are selected in the Democratic primary, and it's the typical delegate slate that you would expect coming from the Daley administration. That was challenged, and a counter-delegation was put together, led by Singer and Jackson, I believe.

Netsch: Yep, Bill Singer and Jesse Jackson Sr., Reverend Jackson.

DePue: And because Daley was upset about that action, he withheld votes from the bill on the Equal Rights Amendment. This was how it was portrayed to me by Governor Edgar—you know, only forty years after the fact as well. Does any of that ring a bell? Of course, you're not in the legislature at that time.

Netsch: I wasn't even in the legislature at the time, and certainly (laughs) not close to what was happening with Mayor Daley at that time. I do not know. I cannot really say one way or the other. I can sort of understand that that could be the case, but I cannot, of my own knowledge, say one way or the other. Phil Rock might know this, even though he was in the Senate, not the House, because he was part of the organization and to the best of my knowledge, from the get-go, was for the Equal Rights Amendment. I never saw him waver one smidgen, despite that strange vote at the very end.

DePue: Senator Rock, you mean?

Netsch: Senator Rock, yes. Yeah.

DePue: Well, the other point that Governor Edgar was making when he was telling this story, is that at the end of that first year, members of the legislature had voiced their opinion; they've staked their claim on what their position was on the Equal Rights Amendment, either pro or con. Now they have an election to go to and they're going to have to face the public on that, but if they survive that election, then in terms of how he described it, there's less reason for them to have to go back and change their vote on something as important as Equal Rights Amendment. So you're just two years later in this process; it's already been fought over a couple times. That first year there was a point in time where the supporters—and again, that would primarily be Dyer and Chapman, which we've talked about before—thought they had the votes. Right at the last minute there were twenty-one people who seemed to change their vote, and they quickly got labeled, I think by members of the National Organization for Women and others as the Judas Men (Netsch laughs) or the Tricky Twenty-one. I don't know if any of that rings a bell to you.

Netsch: I don't remember all those details, right.

DePue: But what that illustrates is, very early in this, this became a very emotional debate.

Netsch: Oh, yes, yeah. As soon as I went in the legislature and was involved with the Equal Rights Amendment, one of the things that I knew and—maybe I should say I learned and then knew—was that sometimes when you know you haven't got the votes, it's better to lay off, because once you get somebody who's gone on record one way or the other, it is **very difficult** for them to go back and change and switch to the other side. I became very much aware of that in part with respect to some of my own group, what we later called the Crazy Eight—the sort of independent Democrats—and some of the independent Republicans with whom we were also pretty close. There were, I want to say, at least maybe two members of our group that sort of voted no the first time because a vote had to be taken and there weren't enough votes to pass it. This was an earlier stage. I remember one of them—I think it was Vince Demuzio—arguing to me afterwards that he'd already said what he was going to do and he couldn't change it. I came to understand that sometimes you don't force a vote when you know you haven't got the votes, for that very reason.

DePue: Well, and the initial votes happen in committee.

Netsch: Yeah.

DePue: Is that where you're talking about, especially in committee, that it doesn't leave the committee until the votes are there in the first place?

Netsch: Well, no. The vote on the floor is more important, not only because, of course, it's a recorded vote, but because there are occasions when members will say, Okay, I'm going to vote to get this out on the floor because I think it's an important issue and should be dealt with by the entire body, but this is no guarantee which way I'm going to vote when it gets out on the floor. So it is possible to vote, let's say yes, in a committee but not necessarily vote yes on the floor and with that kind of an explanation, it is not necessarily a betrayal or playing both sides or something. I don't remember a specific instance when I did it, but I may well have done it at some time. But I certainly can remember instances where members said, Okay, yes, I'm going to vote yes in committee because I do think we all need to talk about this issue, but it's no guarantee what I'm going to do on final vote on the floor.

DePue: You've already suggested that from 1974 on out, the first vote was always on the issue of whether it's going to be based on three fifths or a majority, a simple or constitutional majority. So talk about the politics of people voting on the three-fifths rule versus voting on the legislation itself.

Netsch: Oh, that was a very tender issue, also, because we were pretty sure we could pass it with a majority vote—ratify the amendment.

DePue: When you say "majority," constitutional or simple majority?

Netsch: Well, there is no such thing as a simple majority on final passage in the Illinois legislature.

DePue: I guess what I mean is you might have the vote on a day when several members are absent, or other members decide to vote "present" or not vote at all.

Netsch: No, in order for passage to take place, whether it's final passage of a bill or anything like that, it is what we call a constitutional majority, which in the Senate is thirty votes.

DePue: Out of the fifty…

Netsch: Fifty-nine. That's a constitutional majority, isn't it? Yes. (laughs)

DePue: Yeah.

Netsch: The constitution is quite clear that any final vote on legislative action, if you will—I'm using that term a little bit broadly right at the moment—does require a majority of those elected, which is a constitutional majority. So if somebody's absent, sick, decides not to vote, whatever, whatever, it's almost the same as if it were a no vote. So that we were very much aware of. One of the things that a lot of us who were strategizing on the Equal Rights Amendment always attempted to figure out once that three-fifths rule got adopted in the Senate was, Could we change the rule back to a simple majority? What we found was—it was very interesting—there were a few people who purported to be absolute, total supporters of the Equal Rights Amendment but who declined to help us change the rule from three fifths to majority, and—

DePue: You're suspect of their motives.

Netsch: Sure we were. Now, some of them may have been perfectly straight and legitimate, but there were sometimes when we were not so sure about that, and it was very frus—

DePue: Afraid they thought that it should require more than a constitutional majority to pass something as important as an amendment to the constitution?

Netsch: That would be presumably what they would be saying, particularly since the state constitution had itself originally said a three-fifths vote. So there was some decent rationale for it; I don't mean to suggest otherwise, but there were times when we were not always so sure about that and totally frustrated. One

person I remember, Lynn Martin, would never help us on the three-fifths vote, and I think there were a couple of suburban and collar county Republicans who were in that position.

DePue: Voting against the three-fifths but for the amendment itself? I guess somewhere in that process you can get yourself some political cover.

Netsch: On both sides. (laughs) That's probably true, yes.

DePue: Okay. Let me just run through the objections that were coming out of a group beginning to get their own voice during this time period in opposing the Equal Rights Amendment, and obviously—

Netsch: Phyllis Schlafly.

DePue: —the key player in this is Phyllis Schlafly and her *STOP ERA* movement. They said that if you pass the ERA, women would lose their special status under the law. I'll read these. Let's just go down the list and get your reaction to each one of these.

Netsch: Yeah, right, good. We wanted to be treated like other people. (laughs)

DePue: Okay. Women would be drafted.

Netsch: Well, I think my argument to that always was there shouldn't be a draft to begin with, and if there were for public service, why not. Women serving in combat: I would have to tell you at the time, and it's sort of amusing in retrospect, my explanation would have been, Look, people are going into combat who are trained and prepared and tough enough or whatever whatever to be in combat, the military's going to decide that. The military's probably not going to send women into combat, and it is not inevitable that women go into combat if we pass the Equal Rights Amendment; that's really for those who run the wars (laughs) to decide. Now, what of course is so almost funny about it now is that women are in combat all over the world.

DePue: But still, at least in the United States military, women are not in combat units described as infantry, armor, field artillery, some of those, but that's based on the Army and the Marine Corps's rules on that.

Netsch: Yeah, they will decide who is best able to serve, and the kinds of units that have that very special problem, if you will, because they really have to deal with sort of upfront fighting.

DePue: So what would have been your position—inevitably if you get the Equal Rights Amendment, I think—maybe I shouldn't be editorializing like this—but it wouldn't surprise me if a woman or a group of women took a class action suit saying, We have been prohibited from being in the infantry and this

is a violation of the Equal Rights Amendment. What would have been your position on that case, then?

Netsch: Let them file the lawsuit and see how (laughs) it turns out. I'm not sure that they would have won at that time. Today, they very well might win. But, you know, the fact that there's an Equal Rights Amendment and that there can't be discrimination against, doesn't mean that there can't be judgments made about the fact that there are literally differences between (laughs) men and women. I can't think of a good illustration at the moment, but if a law or an administrative agency rule were attempted to be enacted which somehow seemed to put men in the position of not being literally child-bearing but something close to that, you're going to tell me that you can't have a law that recognizes that men don't have babies? So some of those differences can be acknowledged. It's just that the whole idea of the law protecting women was something that many of us at that time said, Uh-uh, it's not protecting, it's denying them the opportunity to do a lot of things they **really can do**.

DePue: Another concern that was raised is, that would change the structure for alimony payments that have traditionally up to that point always favored women because of their status in the economy where they didn't typically make nearly as much as men, so.

Netsch: Well, to some extent that's happened even without it, I believe. I'm not in that area of law at all, but my understanding is that in a lot of states, whether they're community property states or otherwise, that the courts often recognize that in some instances the woman is the primary breadwinner and may have to help support the dissolution of the marriage. So.

DePue: An equally touchy issue when you get down to the reality of things: child custody preferences, because then, certainly, women were generally favored in child custody issues by the courts.

Netsch: And I think probably still are to some extent in a lot of states. What should always be the rule, it seems to me, is what's best for the child; there may be instances in which custody by the father is better for the child, and my guess is that that is why that does sometimes happen these days. What, of course, is much more common now is joint custody, which can get to be a little contentious, I understand, but… (laughs)

DePue: So again, in the world of 1974, you did not see that as a valid concern that they were raising?

Netsch: No.

DePue: Okay. I'm just going to read you a quote by Representative Joseph Fennessey: "Women should be in a special group, a higher level. It would be demeaning for women not to be." And that's kind of a summation of everything we've been talking about up here.

Netsch: Yeah. I understand, believe it or not, that there were a lot of men, including men in the legislature, who really genuinely believed that. One that I always remember, Jim Donnewald, who was a Democratic senator from downstate, and I remembered sometimes describing Jim as believing down to the tips of his toes that the Equal Rights Amendment really would have somehow demeaned women and been contrary to their best interest. You know, if somebody had that deep an ingrained feeling along that line, I usually didn't try to—I mean, we might argue over a couple of individual issues—but I didn't really try to change that fundamental thing, because you weren't going to be successful. I would make the argument in response, "Thank you for putting us on a pedestal, but we'd much rather be out there where we can earn our own way" and a few things of that sort.

But for some folks who were raised with a very different attitude, that wasn't going to change. I was not one who then wanted to go around calling them, what, rednecks or bigots or whatever, because I don't think that's fair. I mean, to some extent, I even had the same attitude on those who were pro-life and anti- any abortion rights. I'm thinking some of these folks who were and still are (laughs) my very best friends and very good friends politically; particularly if they were raised Roman Catholic, they grew up believing—being told and therefore believing—that abortion was murder. To try to tell someone that you're a bad person, you're a redneck, you're a bigot, you're a whatever, because they had a viewpoint that they grew up with, I thought was not right. What you would try to do would be to try to help them understand: Okay, over a period of time, if you don't want to change your views, fine, but don't impose your views on all the rest of us; help us to be allowed to have a different perspective. By the way, some of those who were involved in the Equal Rights Amendment battle I thought were totally inappropriate in the measures that they took. It's not because you aren't principled or are not willing to stand up and be tough, it's that you've got to have some respect for people who genuinely hold different points of view. I hope I always did that.

Look what's happened with some of these issues that were absolutely anathema when I was starting out in politics, whether you're talking about actually even the Equal Rights Amendment, although there was broader support for it, probably, than for some of the others—for abortion, for gay rights—I mean, the most dramatic of all, for heaven's sakes. I couldn't even talk to my colleagues about a nondiscrimination provision in my early days in the state legislature. It's changed. It hasn't changed 100 percent, but it's changed very dramatically.

DePue: Well, the argument at that time was, if you pass the Equal Rights Amendment we'll be on the slippery slope where all gays will have rights, we'll have homosexual marriage, where there will be open abortion…

Netsch: You didn't really hear that much of that. No

DePue: Not? Okay.

Netsch: No, I think that was so far off the reservation for most people at that time. No, it mostly had to do with changing the role of women.

DePue: Part of the language on the opposition side was, "You're messing with the moral fabric of family life" and that kind of terminology.

Netsch: Yes, yeah. But that had to do with the fact that women were not as heavy in the workforce then as they are now, and many of them were, quote, what we would now call "stay-at-home mothers," and for a lot of people, that was exactly the right thing. Of course, again, what a lot of us felt very strongly—and this was a problem I had with some of the early feminists—they would talk and make statements in ways that it seemed to me demeaned the role of being a mother and taking care of the family and the kids. My thought was never that it was somehow—what's the word I'm looking for—not immoral, but wrong for women to (laughs) want to be mothers and homemakers.

My argument always was that women should be allowed to move into a different way of life if they **chose** to without barriers, without discrimination. I thought it was terrible how demeaned the women who **chos**e to stay home and take care of the kids were by a lot of those who were on what I called the fringe of the feminist movement. If I'm not mistaken—and I probably am—about this, but I think even Gloria Steinem[2] has made that comment in more recent years, that they probably went too far, in effect saying that any woman who did not want to get out of the home and into the workplace and out competing with men was somehow a lesser person.

DePue: There's a bunch of different directions I want to go just listening to you talk about this. Let me ask you this. Your own career up to this point: you'd gotten involved with politics way back in the 1950s, you were involved in the governor's administration during the early '60s, you had become a member of the law faculty here at the university, and were the first woman to do that?

Netsch: Yeah. Yes, for a long time.

DePue: You graduated top of your class academically when you did graduate from law school.

Netsch: Yes.

DePue: Did you feel—your own personal life—that there were barriers that were put up?

Netsch: A few times, probably more than is justified. I never really thought of myself as being heavily (laughs) discriminated against. I know I'm not supposed to

[2] An early leader in the women's liberation movement Netsch describes as fringe.

say that, but there were a couple of times when I really—well, at least I noticed the difference in treatment of women and maybe specifically myself. One of the times, by the way, was in the at-large election of House members back in, what was it? '64? when the House failed to redistrict and so all 177 members had to run at large.

DePue: The Bedsheet Ballot.

Netsch: The Bedsheet Ballot, right. I could understand why the Democrats would look to somebody with a name like Adlai Stevenson and the Republicans someone with a name like Eisenhower—I mean, those things made a lot of sense—but I didn't sense any real interest in reaching out. I mean, there were women on the ticket, but not the sort of women who'd been out there doing political things to begin with, and I may have felt a little left out then. And a couple of times after that, when they were looking for somebody to run for, let's say, the state legislature or something, my sense was they never thought of me, in part, maybe, because I was female, although I also came to realize that as much as anything, it had to do not with the fact that I was female but the fact that I was a rebel (laughs) against the machine. I think that was a much bigger problem for me than being female. But there were differences in attitudes. Except for the fact that my political party was sort of like a private club—but that was aimed not just at me, it was often aimed at some of my fellow independent Democrats—you know, people like Ab Mikva and Bob Mann and folks like that.

DePue: This is a peculiar question, but early in your career did you ever encounter a situation where somebody had heard your name and assumed you were Don Netsch instead of Dawn Netsch?

Netsch: Yes, (sighs) but not just in sort of career things. I mean, it still happens (laughs)—well, not so often, but once and a while—and I'll get something maybe even addressed D-o-n, and if people call me on the phone, since I have a fairly deep voice to begin with, I get a lot of marketing calls, or if I'm calling in about trying to clear up some bill or something, and they will address me as "Mr. Netsch." But yes, that becomes a…

Interestingly enough—this has nothing to do with the political stuff—but when I was growing up, Dawn was an extremely unusual name for a female. I grew up knowing only two people who had Dawn in their names, my mother and myself, and now I see it all over the place, which is sort of interesting.

DePue: Okay. Let's go back to the issue at hand, though, and equal rights. One of the things that was said—and this is very much in the tenor of that time, in the early '70s—that the silent majority of women were not in favor of this.

Netsch: Yeah, I know that that was said. I'm not sure that, since they were presumably silent, there was never any way to demonstrate it (laughs) one way or the other. I sort of don't believe that; I can't prove my position probably any more than the other side can, but I base it on maybe a couple of things.

One was the first year I was campaigning for the state legislature—not for the Constitutional Convention, because that was so esoteric that most people (laughs) didn't understand what it was all about anyway—but when I was out there campaigning for the state senate. I found it very interesting—when we could still knock on doors, for example—knock on a door and show my piece of literature and say, "How do you do? My name is Dawn Clark Netsch, and I'm running for the Senate." I would get reactions—now, these were likely stay-at-home women, of which there were (laughs) many more at that time, and they were not professional, et cetera women, because they were literally in their home during the day. I got a reaction and a response that slowly told me something about the fact that these women, probably not feminists, probably not pro–abortion rights, probably not all kinds of things that sort of the more, quote, "sophisticated" women were, but that there was something going on with them also, and that somehow the idea that here was a woman who was running for as far as they knew a very important political office got them, **got** through to them. I remember, even back—this was in '72—and I would pick that up sometimes in doing handshaking things at el stops or bus stops or whatever also.

I remember, even back then, saying, I think there's something happening out there that these guys simply do not know or understand. So yes, sure, there probably was some real silent majority, but I think there was a lot of things stirring in a lot of women who were not necessarily out there marching in the parades or doing all of that kind of thing. They really wanted women to be able to—(laughs) I was about to say "be more like men" (laughs)—be able to do things.

DePue: Or at least be more assertive, to have more opportunities.

Netsch: Yeah, yeah.

DePue: Well, here's just the kind of question to ask somebody who spent life as a law professor. The final one that I would present to you, the argument against, is you don't need an Equal Rights Amendment; the Fourteenth Amendment of the constitution already protects women.

Netsch: I thought that too, and I was wrong. I can remember, I think early in the convention—and I got called on this a couple of times later, which—

DePue: Now we're talking about the Illinois Constitutional Convention.

Netsch: Yeah, I'm sorry, I'm talking about the Illinois Constitutional Convention—and the proposals were there for an Equal Rights Amendment or a variation

thereof. It wasn't in my committee, so I wasn't as directly involved with it, but I can remember saying to some folks who were advocating for it, "I don't even think we need this; the Fourteenth Amendment's going to take care of this." I got reminded of that unceremoniously a couple times later, with good reason, I think, and as it turned out, I think I was wrong. I really did think that the Fourteenth Amendment was going to be interpreted pretty closely to the way race discrimination, for example, had been interpreted as a suspect class which required an extraordinary thing to overcome—"compelling state interest" is the Fourteenth Amendment language—and the court to this day has still not gotten to that point. It has, I suppose you could say, moved gender discrimination up a notch. It is not a suspect, but it's one that requires an—oh, what is the language now?—an enhanced analysis, but not quite up to the other three. So I was wrong about that, and ended up supporting the state Equal Rights Amendment.

DePue: Okay, very good. We've covered a lot of the philosophical issues here. Let's go back to the procedural things. (Netsch laughs) Year after year this is brought up. So we've already talked about '72; we've talked about 1973 and *Dyer v. Blair*. That was the first challenge on the three-fifth votes, which was basically not considered because of that issue. Then yours **was** considered, and the federal courts ruled, as we've talked about here, that it's really up to the legislature. So now, '75 and beyond, it's a two-tiered fight: it's a fight over the three-fifths rule; it's a fight over the amendment itself. Let's see if I can just find a couple of things here to illustrate as we walk through the rest of the years.

Nineteen seventy-five, here's one of your comments; you're quoted as saying: "There is an historical campaign against it;"—"it" being the Equal Rights Amendment—"the opposition has organized, and they have planted all of these fears. There is a kind of McCarthyism[3] about it." Does that sound familiar? Do you remember saying that?

Netsch: I don't specifically remember saying that, but one of the things that it suggests to me was something that I think I was aware of pretty early on, certainly as time went by, and was pretty unhappy about over a period of time. That was, I thought, that the opposition was better organized in the best sense, I mean in the grassroots sense. Instead of marches and spilling blood on the floors of the Illinois State Capitol[4] and a bunch of things like that, they had gotten out into the hustings, if you will, and had taken their case much more, I think, than the pro-ERA forces did.

I remember once saying that I thought maybe the best thing I ever did for my position was, it was a church group that invited me out for their

[3] U.S. Senator Joseph McCarthy the American anticommunist figure in the late 1940s and early '50s, considered by many a demagogue.
[4] Several women protesting discrimination occupied the Capitol and sprayed pig blood on the floor.

Sunday night program in—if I remember—I think it was Sterling, Illinois. It was not a lakefront liberal whoop-de-do group, but a group that I think was just seriously interested in hearing about this. I talked about the Equal Rights Amendment and answered questions, and we even had some dialogue back and forth. I can't say that I know that everyone there ended up saying, hmm, Yes, I'm for it, but I'm sure everyone there at least ended up saying, You know, there's some really good arguments for it and maybe some reasons why it should. At least they were thinking it openly, and I think maybe went a little bit beyond that, just by the way things sounded at the end of the evening.

I remember saying several times that may have been the best thing I ever did for the Equal Rights Amendment because it was out talking to people, not screaming into a microphone or marching with a band or something like that; it was just talking it over, sensibly, calmly. We talked about things like service in the military and other aspects of this, and they were quite willing to listen and think. I wasn't trying to beat them over the head. We should have been doing a **lot, lot** more of that. Although I'm not prepared to say that the Schlafly Eagle Forum people were calm and reasonable (laughs) when they were out doing their grassroots work, but they were out doing a lot of grassroots work, and I think it paid off.

DePue: Did you know her personally?

Netsch: Well, yeah. I mean, I saw her in Springfield all the time.

DePue: Did she come and visit you? Did you have discussions about this?

Netsch: No, no.

DePue: Did you have occasion to meet her personally, though?

Netsch: Well, I'm trying to remember. We may well have been on programs together a couple of times. I don't honestly remember that clearly. But mostly I saw her when she was coming down there to testify and we might exchange a few words in the hallway or something. It was not a close relationship. (laughs)

DePue: So she did testify both before the House and the Senate?

Netsch: Oh, yes. Of course they had their other little gimmicks, which were: they baked pies for the members and—if I remember correctly—brought them red roses—or pink roses, probably—and a few other things of that sort. I don't think those things were so compelling to the members. But the fact that they had a lot of backing back home I think was more persuasive.

DePue: What did you think personally of Phyllis Schlafly?

Netsch: I thought she was a little bit of a phony, (pause, then laughs) or at least as time went on, because she was the one who was a career person, making a career

out of all this, I assume frequently away from her kids and all the sorts of things she had (lowering her tone) condemned all of these modern women for. She seemed to me she was doing the same thing. And she was totally exaggerated in a lot of her arguments. But she was good; she was effective.

DePue: But you don't think she was sincere in terms of what she was stating, her particular view.

Netsch: Oh, I'm not suggesting she wasn't sincere; I have no way of making that judgment. I mean, I assume up to a point she felt that, but I thought her lifestyle in some ways was a contradiction of what she was preaching.

DePue: Well, you've kind of touched on some of these things as well. Nineteen seventy-six: by that time thirty-three states had passed the ERA, and thirty-eight were needed for passage, but also by this time, you start to see states reverse their positions on that.

Netsch: Yeah, which we were convinced legally they couldn't do.

DePue: I don't know if the state of Illinois had cause or the position to challenge that in the courts. Was that challenged in the courts that you know of, where states had reversed their positions?

Netsch: Well, we in Illinois wouldn't have any standing to challenge that. (sigh) Oh, gee whiz. What I'm trying to remember is whether it was the viewpoint of just a huge range of constitutional scholars or whether there really were one or two lower court opinions on that subject. I want to say that there was one, maybe a couple, of lower court decisions which said you can't reverse, but don't hold me to that, because I have not thought about that or looked at it for a long, long time.

DePue: I'm going to quote—and this is one I got from Cynthia Bowman's book on you that was just published— "ERA is not synonymous with women's liberation or abortion. It is supported by many rational, middle-class, middle-aged women like me. (Netsch laughs) I support ERA, but I am not an advocate, not a nut. You will find that I do not bellow like Bella"[5]—this is clever (Netsch laughs)—"I am not strident like Steinem."

Netsch: I used that expression when I made that speech to the law alumni, gosh, whenever that was—1971? No, seventy-something. Anyway. I remember—(laughs) it's funny. I didn't know that it was in that context, but every year back in those days, the law school had one member of the faculty make a talk at the annual alumni luncheon. One year Jack Ritchie asked me to do it. I don't remember whether he was the one who suggested that I talk about the role of women or whether it was my own idea. But I did some research as

[5] Bella Abzug, American lawyer, Congresswoman, social activist and leader of the Women's Movement, was said to have "been born yelling."

much as I could; there wasn't much to do because there wasn't much in the way of available information, like, were women denied more often the admission to law school than men? I could get enough to make it pretty clear to me that Northwestern was very good in that respect. We seemed to reject men in larger proportions (laughs) than we rejected women who were applying for law school, but there wasn't much information available elsewhere. Anyway, so I put together as much as I could in the way of background and then obviously had my points to make. My basic message was, Look, guys, women are going to law school, they're doing well, and if you want to have good lawyers in the future, you better get over your biases and start hiring women.

I do remember that—I think I still even have a copy of this—that I labeled it—I think it was "Seventy-six Girls, Seventy-six." Now, a few of the people in the audience might have gotten that; I'm not sure many did. I assume my "seventy-six" reflected the number of women who were actually at Northwestern Law School at that particular year. Using the number with "girls" in between goes back to the way burlesque houses used to do it in the old days. I remembered this from growing up in Cincinnati, Ohio, that you'd see the signs or ads for the burlesque houses, and it would be like, "A Hundred Girls, A Hundred," (DePue laughs) or whatever, "Fifty Girls, Fifty." (laughs) So I used the "Seventy-six Girls, Seventy-six," hoping it would kind of get through to somebody in that respect. I also remember—I don't remember whether I started the talk out this way or did it someplace along the line—I did say, "Look, guys, I'm not going to bellow like Bella or"—what was the other one?

DePue: "Be strident like Steinem."

Netsch: "—or be strident like Steinem. Basically I'm just here to tell you these are the facts of life, guys: women are going to law school, they're good students, they're going to be good lawyers, and you just better get used to it." (laughs)

DePue: By this time—this time being 1976—you're generally perceived as the leader of the ERA fight each and every year that it comes up. Did you see yourself in that role?

Netsch: Probably, yeah. I don't think I saw myself as the sole leader of it. I'm trying to remember—Esther Saperstein[6] had the resolution while she was still there—I can't remember precisely what year—and I did not obviously try to usurp her, no question about that, but it was pretty clear, particularly after she left, that I was the one in charge, (laughs) because that was the—

DePue: I think that might have been in '72 even when she first brought it up, because she was in the Senate.

[6] Esther Saperstein, the first Democratic woman elected to the Illinois Senate, also served five terms in the Illinois House and one term as 49th Ward Chicago alderman.

Netsch: Yes, yeah.

DePue: The first year in the Senate, thirty to twenty-one was the vote, and I think it was just barely passed; it was in the House that it lost.

Netsch: Yes, right. But then she was still in the Senate when I arrived in the Senate—that's what I don't remember, how many years thereafter—then she left to come back to Chicago and be an alderman, which is always considered a promotion in Chicago. I mean, I was helping out, obviously, and probably helping fairly aggressively, but she was still the lead sponsor. When she left, I obviously was the one primarily in charge. But the one thing I always did, I think without exception up until that last year was, I made sure that the president of the Senate was the first named sponsor, whether it was Tom Hynes first, and Phil Rock, because both of them were very strongly pro-ERA. I just thought that sent the best message.

DePue: Was Cecil Partee out of the picture by the time you got to the Senate?

Netsch: No, he was still there.

DePue: I think the first session he would have been there.

Netsch: I guess just the first session. No, wait a minute.

DePue: He was there '75, '76; he was Senate president according to the records that I've got, then Tom Hynes for '77, '78, then Phil Rock after that.

Netsch: Yeah. Cecil was also pro-ERA. I never had any problems with the primary leaders, and to the best of my knowledge, "da mayor" [Richard J. Daley of Chicago] was always a supporter of the Equal Rights Amendment. Young Richard [Daley] certainly was.

DePue: Well, again, we've got this story that Governor Edgar told me where that first year, the mayor got upset with what happened with his particular delegation to the convention, so we'd have to verify that with some other people.

Netsch: Yeah, yeah, and that I just simply don't know about.

DePue: Well, your comment about the National Organization for Women about Bella Abzug and about Gloria Steinem in particular, that comment isn't necessarily flattering. So what was your relationship with the NOW forces, with the pro-ERA forces?

Netsch: Well, there were two relationships, I think. One was there was a woman—oh, golly, I want to say Molly Yard, who was sort of the major force with the Equal Rights Amendment here in Illinois. She was good, and I thought understood how you go about doing things in the Illinois legislature and all. I thought some of those, particularly those from outside, did not help.

DePue: It's worth mentioning here, there's a lot of individuals coming from outside the state who were playing a role in how this worked out in Springfield.

Netsch: Oooh, yes, yes. Their idea of how you do it is, you have a big march down Lakeshore Drive or Michigan Avenue or one of the streets in Springfield. I mean, I understand that some of those things are part of it, but they not only don't usually change votes, sometimes they turn people off a little bit; this was one where I was concerned about that. Another thing that several of them dreamed up was picketing the personal house of a few of those that they were trying to get aboard, and that is usually not a good way to win friends.

DePue: I know one of those was George Ryan, which probably was a long shot to convince him to change his position, I would think.

Netsch: Right, yeah. And there was a Republican senator in Decatur where that was done. Now, maybe we would never have gotten him—I don't know for sure—but he is not one who had been sort of locked in heavily against the Equal Rights Amendment, but once his house was picketed and it caused all kinds of local concerns for him, we lost him forever, I think. So there were things like that.

My sense was not that their hearts weren't in the right place and all, but that sometimes we who are here have a slightly better (sighs) handle on what does and does not work in lobbying members of the Illinois general assembly. I've seen that in quite other contexts, too. I know once in a while when there's a national election and they bring in some hotshot outsider to run the Illinois campaign—I'm talking about a presidential election or something like that, or maybe even just a statewide Senate race—and (laughs) some of us say, Uh-uh. No, you got to know this state, which is a very (laughs) difficult state to know, and sometimes the traditional things just don't work here.

DePue: Was the struggle to pass the ERA different in the House in terms of what strategy you wanted to take, versus in the Senate?

Netsch: I think probably so, although there, ideally, if you could only talk to Genie Chapman or Giddy Dyer, or maybe Susan Catania would be helpful in that respect, because she was there all that time. Yeah, the House at that time was a very different place. Those were the days when we had multi-member districts and cumulative voting, and there was a lot less—oh, how shall I put it?—discipline and sort of hard-nosed approach to things in the House. The Senate was much more difficult, much more sort of locked in and all, and I think it made it more difficult for us to figure out how to reach, and a smaller number of people, also. I mean, for example, in the House, I would bet that of the—I don't know exactly the number—the number of Republican House members from Chicago that were all people like Art Telcser and Elroy Sandquist and Susan Catania, and then sort of out in the suburb—well, Susan, Giddy Dyer, even though she was suburban—and they were a lot more

moderate and in a sense, a lot freer to take on an issue like this. So, you know, you had a very different atmosphere between the House and the Senate, and we had to work through a lot more complicated set of rules, if you will. (laughs)

DePue: Did this vote generally follow party lines?

Netsch: Not 100 percent, no. Obviously there were many more Democrats than Republicans who supported the Equal Rights Amendment, but it was never 100 percent. There were some Democrats who did not. I mentioned a little while ago, for example, Jim Donnewald. We could never get Jim to support the ERA, and there were some on the Republican side who were what we would today call moderate Republicans—oh, Bradley Glass, I think Jack Schaffer, probably Prescott Bloom, folks like that, who were much more willing to go along with something like this.

DePue: Well, and the House sponsors were two female Republicans, was it not, initially? Dyer was a Republican, isn't she?

Netsch: Yeah.

DePue: And Chapman?

Netsch: No, she was a Democrat.

DePue: Chapman was?

Netsch: Yeah, Eugenia Chapman was a Democrat from the Cook County suburbs.

DePue: Well, I guess that's the next question: Did this follow geographical lines? Did the city and the suburbs and the southern part of the state tend to vote one way or another on this?

Netsch: (pause) I'd have to go back and look at roll calls again. My answer, based on recollection, is not 100 percent but pretty heavily. Downstaters tended to be more conservative on what we would now call social issues, although (laughs) I always have trouble thinking of the Equal Rights Amendment as a social issue, but it would have been thought so at the time, and downstaters tended to be more conservative on things like that. A couple of my—when we all became sort of part of the Crazy Eight—were not supportive of the Equal Rights Amendment, even though they were enlightened in almost all other respects. (laughter) Now, that was always a problem. I remember one vote—how did it finally turn out? Terry Bruce, who was one of our spokespersons in our Crazy Eight group—it was an ERA vote of some kind coming up—and his wife, who was also a good friend, was sitting up on the balcony. She and I were (laughs) I think both exchanging that traditional finger across the throat thing (laughs) aimed at Terry if he did not vote the right way. (laughter) But it was a more difficult vote from a constituent's point of view, for someone even

like Terry Bruce who knew better, (laughs) as I keep saying. And Vince always drove me crazy on this issue.

DePue: Vince Demuzio?

Netsch: Vince Demuzio, kind of back and forth and back and forth. Ken Buzbee was never in doubt, though. Of course, he was from a university community, which probably helped a little bit, too.

DePue: Who led the opposition in the House and the Senate? George Ryan is oftentimes the name you hear in the House.

Netsch: Well, that's interesting. (short pause) I suppose certainly in the early days, Bill Harris I guess. I don't really think of him as being the sort of floor leader opposed to it. Huh. (pause) It's funny, I'd almost have to stop and look at who was there at the time to rethink who was really, really, really leading the opposition. (laughs) There was enough opposition that…

DePue: Even in the Senate you can't recall?

Netsch: (pause) Well, I said Bill Harris, but I'm not sure that he was the one who made the…

DePue: Well, I would assume that your lawsuit was against him because he was the president of the Senate—

Netsch: President of the Senate, yeah.

DePue: —at the time.

Netsch: Yeah, right. I'd almost have to look through a list again to try to remember who did most of the floor work against it. I remember a couple of the older guys who made cracks about it—oh, these names. I'm going to have to look at a list. Some of them are beginning to come back now, but not their names. I can see a couple of them now, but…

DePue: Maybe not in the best light when you're seeing them in your mind.

Netsch: No, not in the best light, right.

DePue: Then you get to the executive level, and you've got Governor Thompson, who is a supporter. In the later part of this fight, you get into the late '70s, early '80s, and Adlai Stevenson is seen as the likely candidate to be running for governor against Thompson. He's also an ERA proponent.

Netsch: Mm-hmm, yes.

DePue: But most people would say both of them were kind of lukewarm in their support. Would you agree with that?

Netsch: We used to get pretty ticked off at Jim Thompson sometimes for not making it a major issue and helping us as much as we thought he could. We never saw any reason for him not to because there's nothing in being for the Equal Rights Amendment that would have harmed him in any way.

DePue: In his next run for election, you don't think that would have harmed him?

Netsch: Uh-uh, not given who he was and where he was at that time. I mean, downstaters can forgive. In the first place, it would not have been **the** major issue for Jim Thompson, and we just did not get a sense of really working that hard at it or paying that much attention to it or considering it a major priority. It wasn't that we questioned that he was supportive; it's just that we didn't see much evidence of it, I think.

DePue: And how about Stevenson?

Netsch: Of course, Adlai was never there with us.

DePue: Right. He was neither in the House nor the Senate.

Netsch: No, no, so he wouldn't have had occasion to be able to help us that much really in that respect. I never questioned his strong commitment, and I don't think he ever did other than be strongly supportive of it. But it would not have been as clearly on his agenda because he was not there in the legislative process to be able to do anything about it at the time. And if he had had any hesitation—I have to add this just for fun—if he'd had any hesitation to begin with—which I don't recall—Nancy would have set him straight. (laughter)

DePue: Well, maybe the timing was just not right. He was running for governor in 1982 and thought to have a very good chance of beating Thompson in that particular year, but the clock for the amendment was going to expire in 1982, before he actually would ever assume governorship.

Netsch: Well, and before the campaign really got going, I think, too.

DePue: We should mention the clock was extended in 1978. It was to expire in '79, and there was a three-year extension, so now it would take it out to 1982; that was done, obviously, at the federal level. Going back to 1978—I don't know if you recall this occasion, because it happened in the Illinois House: that year, the House lost the ERA battle because five black legislators held their vote when they got upset because Corneal Davis was retiring and they wanted to have a voice in the Democratic leadership in the House.

Netsch: Obviously I was not there, I was not a House member, I was not involved. I do remember that now that you bring it up, and that was a very painful

moment for all of us ERA supporters, I guess especially for probably Genie Chapman—well, and I would imagine Susan Catania—in the House and a couple of the other strong House supporters. But Genie, especially because she was a Democrat, and all of the African-American members were also Democrats, I think all of them. There was one Republican at one point, but I'm not sure that was the year. Yeah, I do remember that that happened. I remember one of my Senate colleagues, at least one of them, at one point saying—and I can't remember what the timing was on this—saying that, "Dawn, you never understood, but it was always intended that the Equal Rights Amendment would never be ratified, one way or the other." I remember being, I guess sort of maybe a little stunned, and very angry. And I'm not even sure that that's true. What I think he was saying was that really on the part of both parties, one way or the other they were going to see that it was never ratified.

DePue: There was some kind of cabal that would prevent this—

Netsch: Some kind of conspiracy, yes. I have no way of knowing whether that's true or not. Obviously I was not on the inner circle of the powers that be in the Democratic Party at the time. One reason, I guess, why I always was a little disbelieving when I was told that, was that it seemed to me that there was nothing for the Democrats to lose in having the Equal Rights Amendment ratified by Illinois. I just didn't see any downside, really. It didn't make any sense. Was it true or not? I have no way of knowing.

DePue: By 1979, 1980 timeframe, we're down to basically needing three states. By this time I think at least three or four states had reversed their position on it.

Netsch: Yeah, but we didn't pay any attention to that.

DePue: But it was at thirty-five states, and Indiana, I believe, was the last one that actually ratified it, back in 1977, I think was what I read. Anyway, 1979, the Senate, your home, rejects the move to change the three-fifths rule with six Republicans, I guess, who otherwise indicated their support for it, who voted against the rule change. We had alluded to that before. Do you remember anything specific about that year, 1979, and those six Republicans?

Netsch: Well, nothing specific, I think, except that some of them, we thought, were trying to have it both ways; others very likely were okay, I mean, quite sincere about it.

DePue: Was Demuzio perhaps one of those, or is he voting against both?

Netsch: No, I don't think Vince was one of those. I thought you said they were all Republicans.

DePue: Yeah. Oh, that's right, I'm sorry. Okay.

Netsch: I know—yeah.

DePue: You're quoted that year as saying, "We will keep bringing it up until it's passed."

Netsch: That's all you can do. Sometimes it takes forever. The democratic process—when I use "democratic" in its usual way, not party—when you've got a state as wildly diverse as this one—I'm sure lots of other states consider themselves just as wildly diverse, but we certainly are—the democratic process tends to be slow and painful, frequently. Once in a great while, it can act with dispatch, usually in the face of some emergency of some kind, but it takes a long time to turn that mule around, so to speak, particularly, it seems to me, when you are dealing with an issue that is, for many people, a moral issue, or at least a social issue. As I explained before, although I'm not sure it was genuine on the part of everyone, there clearly were members of the legislature who really believed that the Equal Rights Amendment was not right because it was going to cause problems for women; they believed that their respect for the other sex required them to do what they perceive to be—keeping them on the pedestal, protecting them, whatever it may be—and those are hard things to turn around.

DePue: By 1979 they'd been at it for seven years in Illinois. Were you optimistic or pessimistic about the eventual passage at that time?

Netsch: I think I… (pause) Huh, that's an interesting question. How did I feel at that time? I think I probably would have bet that it was going to be ratified at some point. I realized that the three-fifths requirement was a major, major barrier and that we were going to have trouble getting rid of the three-fifths requirement. I did feel pretty strongly that if we **had** gotten rid of the three fifths, we would have the majority to ratify, and it would have stood up. But it was always that three-fifths vote that was just a **major** obstacle, which is why I would get so ticked off at some of the people who would not vote to change the vote requirement, knowing that it was keeping us from prevailing.

Again, I'm not questioning the motives of all of them. I'm sure there were some who said, I'm sorry, I really think it should require an extraordinary vote to ratify a federal constitutional amendment. I may disagree with that; I can sort of understand someone having that point of view. (sigh)I think I even suggested sometimes, "Well, let's change the rule right now so that we can get the Equal Rights Amendment, and then if you want to, (DePue laughs) we'll change it back again." (laughter) I mean, you have to think of all kinds of options sometimes.

DePue: So that's about the timeframe that the opposition would come up with phrases like "the tyranny of the majority."

Netsch: Yes, yeah, right, right.

DePue: Those are loaded phrases.

Netsch: Yes.

DePue: In 1980, of course, this is now that the measure has been extended for three years. President Jimmy Carter thinks he might be heading out of office, but anyway—as I understand it—he makes phone calls to those people in Illinois who are wavering. This is where we are at the national level; Illinois has become a battleground state for this issue.

Netsch: Yeah, we were **the** state. The assumption was that if we finally broke loose and ratified in Illinois, that we could then pick up two more states. We had a couple in mind. I was trying to remember. I think Florida was one of them.

DePue: Florida was one of them.

Netsch: We were just such a barrier, a high fence, whatever, whatever, it was almost as if we could scale the fence here in Illinois, then others would be able to follow enough to get it ratified. So no question, we were the key to it, I think. One of the things—Jimmy Carter's then–daughter-in-law Judy Carter was very active and a supporter with us; I assume it was primarily Judy who was able to arrange for, I think it was, what, four of us to go down to the White House and sit with the president—not in the Oval Office, but in I think it was the cabinet room—and one of the—(laughs) There's something so Chicago about this. Here are four, five at most, state legislators from Illinois giving the president of the United States instructions about whom he was to call (DePue laughs) to get ratification of the Equal Rights Amendment.

DePue: Do you remember the people in the group?

Netsch: Oh, Genie Chapman—I'm looking around the room—oh, cripe. I've got a picture of it, as a matter of fact.

DePue: We'd love to get the picture in our collection.

Netsch: I think Giddy was there, Genie . Was Phil there? No, I don't think Phil was there. I think Jimmy Taylor was there—yes, I'm sure he was, yes. Oh, it'll come back to me in a few minutes.

DePue: Anyway, I interrupted your story here.

Netsch: I've always had fun sort of looking back on this afterwards. It is so Chicago, you know, for some of us "lower-level, quote, politicians," to be giving the president (laughs) his instructions. He did make calls. I don't think it helped, though. One of the problems was, as more things had happened, people got more locked into their positions and weren't sure they could extricate themselves.

DePue: And by 1980, the emotions had been at a pretty high level for many years already.

Netsch: Yeah, yeah, right.

DePue: Your impressions of President Carter?

Netsch: Oh, he was marvelous. I'd been a supporter. Let's see, in 1980—well, that would have been right before that, I guess—I was the co-chair of the Democratic delegation to the national convention. There were four of us. That was an unusual position for me since I'd spent most of my life fighting (laughs) the organization. I was on the outside, you know, banging… So I was a supporter of his. I thought he had very good, substantive instincts. I think in retrospect maybe some of his political instincts were not quite so good, but he was intelligent, he was thoughtful, he was very serious about government. I mean, he did a lot of very good things. Just talking to him individually, he was just very pleasant. Not a particularly charismatic figure, but someone that you felt comfortable with, and you felt confidence in him, and stability, that he reflected.

DePue: But bottom line, you don't think those phone calls made a difference?

Netsch: I'm not sure that I can finger anyone who actually switched votes for that reason, although they sure were aware of what was happening. But, as I said before, one of the problems is, the more votes we had, the more people got locked in, and that was a major problem.

DePue: Let's jump ahead from 1980 to 1982. The clock is about ready to expire; I think it's expiring on June twenty-fourth, perhaps, somewhere in that timeframe. Early in the legislative year, at least. That's the year that May eighteenth, you have a group of women—I believe it's seven women—who start a hunger strike.

Netsch: Yeah.

DePue: From what I've read, that didn't necessarily impress a lot of people or go over well, even with the proponents of ERA.

Netsch: That is correct.

DePue: Why was that the case?

Netsch: Well, what we were looking for was a way of reaching either the arguments or the constituents of the small number that we still needed to be able to get this thing done. A hunger strike by a bunch of outside women isn't going to change that.

DePue: Outside meaning these are women not from Illinois?

Netsch: Oh, no, I don't mean that, I mean—well, actually, I don't even know where a lot of them were from. I think probably most of them were from Illinois. But women who were not coming at their legislator saying, I'm your constituent, and I know a lot of people, and these women, I want you to know, really—you know, whatever sort of arguments like that might be made. I just didn't see that kind of tactic having much bearing on changing votes or even softening up some of the legislators whom we were still trying to work on. You don't like to see people hurt themselves with hunger strikes, anyway, so we were, I think, not terribly supportive of that, right.

DePue: Were words like "blackmail" or "intimidation" bandied about a bit in relation to the hunger strike?

Netsch: Oh, I'm sure they must have been by some people. I mean, I wasn't using words like that, but I'm sure some of those who were probably anti-ERA to begin with were probably (laughs) using the words in a derisive way. And then there was the incident where the women spilled blood all over the…

DePue: Well, as I understand it, that's after the final vote. Before that happened, there was the incident where the women chained themselves to the— was it the rail?

Netsch: Well, that's—yeah, yeah.

DePue: —in the Senate chamber? [A group of protestors chained themselves to the railing outside the Illinois Senate Chamber on June 4th, 1982, as the clock was ticking down for passage of ERA.]

Netsch: Yeah, yeah. All sorts of things like that going on. You know, I don't mind protests. I've been part of a few of them in my life also. But I guess maybe at that stage, the problem was—(laughs) this sounds strange—but I wanted the Equal Rights Amendment ratified, and I saw these other strategies as, not only not picking us up any votes, but of sort of turning more people off and perhaps even further locking in some of those whom we might still have had some kind of a chance with. Maybe we didn't anyway; that's always a hard thing to know.

DePue: At least according to the papers at the time, one of those people who said he had reversed his position, who was sitting on the fence or leaning towards passage of the ERA who had reversed it was Senator Forest Etheredge, a Republican from Aurora. Does that ring a bell?

Netsch: O0h, yeah, yeah. Today we would call him a right-wing conservative—very decent guy, very nice person, and the sort of person who, after a lot of thought, probably would have been a final yes vote.

DePue: But was turned off by some of the tactics?

Netsch: But was turned off by some of this, yes. That's the problem we had with it. Now, somebody else could go back and say, Oh, he was never going to vote for it anyway. Well, I guess the honest answer is, since Forest is no longer living, that we don't know that. But I knew him pretty well. I would not have thought of him as somebody who would certainly take the extreme arguments against the Equal Rights Amendment. He would be understanding and, quote, "sympathetic." That might not translate into a "yes" vote, but there's no way that he would have been one of those wild, pound-the-desk anti-ERA people. So I think his vote might have been there.

DePue: Here's a name that you've mentioned a couple of times before. I know he factors pretty significantly into this last few months of the fight in Illinois. That's Senator James Taylor. You've been referring to him as Jimmy Taylor.

Netsch: Yes.

DePue: Who is Jimmy Taylor, first of all?

Netsch: He was a senator, an African-American, from the Sixteenth Ward, I want to say, the South Side of Chicago. He'd been, I think, a streets and sanitary employee of the city of Chicago. He was very much a machine Democrat in every sense of the word, and in some ways sort of an older-style African-American machine Democrat, more of the sort of "dese, dem, dose" guys. On the first day of that legislative session, I guess, he had put his name on the resolution for ratifying the Equal Rights Amendment without ever asking me or Rock or anybody else. When I saw that this had happened, I remember having a talk with Phil Rock; the question was, what do we do about it? (laughs) Phil thought probably that Jimmy would be willing to follow our guidance or advice or whatever on how to handle it, and that it might cause more problems to try to remove him from chief sponsorship than to allow him to be there as the chief sponsor. So the decision was made to allow him to keep his name as the principal sponsor. I assume we added on as cosponsors.

DePue: What committee would this be in?

Netsch: Usually I think it went to the executive committee.

DePue: Where Senator Rock is the Senate president would chair then, I assume?

Netsch: No, the Senate president doesn't chair any committee. There might be some very special committee set up that the Senate president would chair, but not any of the substantive committees, no. So we'd decided to leave him as the principal sponsor. You know, there is this business in the Illinois legislature that the principal sponsor is in total control of the bill, or, in this case, resolution, which sometimes causes problems. Anyway, Jimmy Taylor remained the lead sponsor that last go-round. When it got down to those last few hours, I guess, or whatever—I think I've managed to put some of this out of my mind—I remember a Democratic caucus that was absolutely **wild**, or

certainly **emotion-** and **tension-filled**. You know, Jimmy shouting on one side, and I—I assume not shouting—but raising issues on the other, and everybody else screaming and everything. Part of the question was whether it should be discharged from committee. The resolution was in committee at the time, so we would have to go through a discharge motion first, and then the resolution itself, and the question was, Should we go ahead with it at that exact moment in time? I think at one point Jimmy said he'd do whatever everybody thought. But in the end he didn't care what everybody thought; he did what he wanted to do, which was to pursue the thing. I think several of us thought it was not a good idea at that moment, because Jim Taylor didn't count the votes; I counted the votes, and I knew we didn't have the votes.

DePue: When you say you counted the votes, is that something in an official capacity, as…?

Netsch: No, it's just—

DePue: You just knew where the votes were and who was—

Netsch: Yeah, I mean, I was the one who would go around and find out how people were voting, because obviously I cared a lot about how it was going to turn out. I couldn't count the votes to get it out, let alone change the rule and get it all the way through. The question then was whether we…Well, there were probably two sides to the argument at that time. My side was, the more you force people to a roll call, the more they are locked in. Maybe it had sort of passed that stage by then because a lot of them had been on a lot of roll calls by then. That was the thing that always worried me a good deal. Then, I think, a point of view that probably Phil had and some of the others is, Look, if we know we aren't going to get it, then why make these guys stick their necks out again and vote once more on this intensely controversial issue when it's not going to produce anything because it's not going to pass? So that's the "protect your friends" argument on another side. That's one that is made lots of times in lots of state legislatures.

You may have asked Phil Rock about this, or you might. I would assume that that's something that Phil was concerned about because part of his job, as he sees it as the Senate leader, is to help protect his Senate majority. Anyway, you had this intensely emotional thing. I'm trying to remember when it finally broke up and we went on the floor, whether I knew at that moment that Jim Taylor was going to go ahead or whether he had still left it sort of open. (sigh) There was so much emotion about that whole time I'm not sure I remember it distinctly. But in any event, he did go ahead and ask that his motion be called.

DePue: Called the vote. Is it at that time that Senator Rock surprised a lot of people and—

Netsch: Yes, yeah.

DePue: —voted against—

Netsch: Surprised me too.

DePue: —voted against calling for the vote.

Netsch: Right.

DePue: Which means that the vote never happened, was that correct?

Netsch: Which means the last vote never happened, yes. At that point, yes, yeah.

DePue: That's the point in time that Senator Taylor said, "I certainly do feel I've been stabbed in the back." I guess the person he was referring to is Senator Phil Rock.

Netsch: I assume so, yes, yeah.

DePue: And your comment at the time was, "I don't like to see it go out with a whimper, because this is the last chance."

Netsch: Yeah, it really was the last chance, although I don't know what else I thought could happen. I would add one footnote to that: Some years later I went to visit Jim Taylor in either his ward office or his legislative office, or maybe they were the same, and it was very interesting. He apologized to me. In fact, I think he said, "This has bothered me a number of times since then. I was wrong not to follow the advice of you all and forced that vote. I know now that I shouldn't have done it, and I apologize." He is not the sort whom you expect an apology from on any issue, so I was sort of stunned by that.

DePue: But I remember your own comments the first couple years you were in the Senate yourself. You learned that lesson the hard way as well, didn't you, that you called something before it was probably the right time to be calling it?

Netsch: Yeah, yeah. It's something that's one of the things you learn as you learn to become a better and more effective legislator. I mean, a lot of it is about substance—we'd like to think all of it's about substance—but a lot of it is about timing and procedure and things of that sort. So, we were dead in the water by that time. I can't remember whether that was the very last day of the extension and whether I thought maybe there might be one last shot at it after that. But after what happened that day, there was no way anyway.

DePue: Well, there was one more dramatic thing that happened right after that, and we've already alluded to that. That's the point in time that the women came in and took pig's blood and squirted names—I think Jim Thompson was one of

the names, maybe, or a couple other names—that they spelled out in pigs' blood in front of the Senate chamber.

Netsch: Was that—not on the Senate chamber, that was in front of, wasn't it?

DePue: Yeah, in front of.

Netsch: Because I don't think anybody would have let them on the floor at that point. (pause)

DePue: Yeah. "James Thompson and anti-ERA legislators," that's whose names they wrote down on June twenty-fifth. "The Grassroots Group of Second-Class Citizens," that's what they had deemed themselves. So even though the vote in the Senate chambers was rather anti-climatic, there was the dramatic climax to the overall battle.

Netsch: You mean the—

DePue: The squirting of the pig's blood.

Netsch: Oh, yeah, yeah.

DePue: So we're thirty years removed—

Netsch: But even so, you know, my feeling was… I guess I'd forgotten I'd made that particular comment, that I didn't want to see it go out with a whimper.

DePue: Well, thirty years removed, what are your comments in reflecting on it today?

Netsch: Well, I still wish we had had the Equal Rights Amendment, and I still think it would occasionally be useful. It's true that I'm not sure that I could point my finger at a huge number of decisions where the courts would have ruled differently if they'd had the higher level of scrutiny that the Equal Rights Amendment brought to it, because there certainly have been some decisions that have been basically based on gender discrimination, that is, where something that had happened did not stand up to scrutiny. But it's still true that we don't have this sort of constitutional recognition that women belong on the same level as men in all respects, and the constitution says so.

DePue: Have there been some decisions since that time, though, that are based on the Fourteenth Amendment that did recognize women's equality in certain respects?

Netsch: Oh, yeah. Now you're going to ask me to start citing them. (DePue laughs) After two and a half or three hours, there's no way I'm going to come up with them. (laughs) Yes, there are some that I think clearly have gone the right way in that respect.

DePue: Well, we've been at it close to two hours, or just shy of two hours. Do you have any final comments, then, on the Equal Rights Amendment fight? We've got plenty more to talk about, but this is exactly what I wanted to do, to really spend some quality time discussing something that was a very important battle legislatively.

Netsch: Oh, yes, yes, yeah, yeah. No, I suppose that the things that I would add are things that I really have already been saying as we went through. Number one, the process often is **very slow** in any democratic institution—certainly the Illinois legislature is no exception to that; a lot of it reflects the fact that there are some very deeply held differences of opinion and attitude, there are different cultural backgrounds, different religious backgrounds, and those are all reflected in a democratic legislative body. As frustrating as it can be, you sort of learn to, well, live with it, I suppose. What is it I've often said in the past? There are sort of three requirements of being a legislator: patience, stamina, and something else, (laughs) all of which have sort of the same…

DePue: Perseverance, perhaps?

Netsch: Well, that would be another version of it, right. Sometimes you have to live with the fact that your point of view is not a prevailing point of view. The thing that bothered me a lot about the Equal Rights Amendment is that I think even then—and when I say "even then," I realize we're talking about a period of time that goes in Illinois from 1970 to 1982—but during that period of time, I still think that the ratification of the Equal Rights Amendment, that is, support of it, would have, if put to a total vote of the electorate, or the citizenry even, would have had a majority vote. I think there really was enough support for it despite some of the arguments that were raised and some of those that felt quite differently about what it did to the relationship between men and women. But I really think that we had come far enough, because this state was not a—I mean, think how many states had ratified the Equal Rights Amendment—and this state was not one of the most conservative states by a long shot.

DePue: And some would say it was trending increasingly blue in that time period.

Netsch: Yeah. Not much, but barely. Yes, yes, a little bit. And so I think what we did in denying the U.S. Constitution an Equal Rights Amendment—and no question in my mind, we were the ones who did it, Illinois (laughs)—I think we were not really reflecting even, to some extent, our own attitudes, viewpoints, whatever. I feel very badly about that. I still do.

DePue: How ironic is it, then, that the Illinois state constitution has a strongly written—

Netsch: I think it's strongly—

DePue: —equal rights amendment provision, and then you could never get this done at the federal level.

Netsch: Yeah, I know, which of course is another reason why it seemed so completely contrary to good intentions. (laughs) I can remember that argument being used lots of time. You know, Heavens, we have our own mini– Equal Rights Amendment right now, and that didn't seem to move many people either. I don't think it was a completely fair reflection of Illinois's attitude at the time. I guess that's one thing that I do sort of resent that makes me a little ticked off still about it, even though I recognize that there were lots of folks there who genuinely did not believe in it, or, in some cases, genuinely believed that their constituents did not support it. Those are the things, as I said, that you have to learn to live with in a complicated (laughs) democratic process. I didn't need that lesson to help me understand that procedure and rules are **terribly important** in a legislative body. When we later—my group—had our battle over organizing the Senate in, what was it, 1976? '86?—'78, I guess it was.

DePue: Where you had vote after vote after vote for the leadership.

Netsch: A hundred and eighty-six roll calls, yeah. The main thing on my agenda, I made up—in fact, I bet I still have my handwritten notes on—rules changes. Everyone thought we were just looking for power for ourselves, the Crazy Eight and the four black caucus members. There was a little bit of that—we certainly wanted to be counted in the mix—but a lot of it had to do with other matters, including rules changes. One of the things that I like to think I helped my group take on, as a cause really, was the importance of getting good procedures and rules, because it **enormously** affects the substantive outcome. So that was one of the things that we were standing shoulder to shoulder for: we just wanted some rules changes so that the whole process would work a little bit better.

DePue: Thank you very much. This has been an important discussion. I appreciate your spending a beautiful Friday afternoon (laughter) to do it. We've sacrificed quite a bit in that respect. But we'll pick it up again next time and talk about the rest of the 1980s and moving into some executive positions in the 1990s. Thank you, Senator.

Netsch: You're welcome.

(end of interview #7 #8 continues)

Interview with Dawn Clark Netsch

ISL-A-L-2010-013

Interview # 8: November 30, 2010

Interviewer: Mark DePue

DePue: Today is Tuesday, November 30, 2010. My name is Mark DePue, Director of Oral History at the Abraham Lincoln Presidential Library. Today is my eighth session with Senator Dawn Clark Netsch.

Netsch: Has it really been eight? (laughter)

DePue: It has indeed.

Netsch: Yes. It seems that way at times. (laughs)

DePue: It's been great history, so I appreciate your spending that much time with me. It's been a while since we last talked; it was back in September. But you keep a very busy schedule, so I especially appreciate your carving out some time for me. I know we've got until about 3:15 at the very latest—

Netsch: At the very latest, yeah, because then I have to pack up and get to my doctor's appointment.

DePue: Last time we had an excellent session that dealt almost exclusively with the Equal Rights Amendment, and so what I want to do today is to spend the time talking about other legislative initiatives during the 1980s and throw in a bit of politics in there as well, because of course that's what the business is all about. In fact, I want to start with some politics, and talk about, if you recall, a little bit of a maneuvering for party leadership in the Senate in 1981. This was a timeframe when—at least the *Tribune* is reporting—that you and the several other Crazy Eights, if I can use that phrase myself, and Governor Thompson were trying to maneuver so that perhaps Phil Rock wouldn't actually be the Senate president at that time, that it would be David Shapiro. Do you remember that at all?

Netsch: That would have been the—yeah, I don't think we were necessarily working together. I think… You know, we had been through the big battle in, what, '76, wasn't it, when we held up the election of the president until the 186th ballot, I think it was, and then we were trying to work out some more things I guess in—I forgot in what year it was, but in '81, I think. I don't think it was necessarily a matter of our being against Rock, just the only way we had (laughs) to ever get anything done was to make some fuss about, among other things, the election. So I think some of us had held out that year, if I remember correctly—this is coming back sort of slowly now because there were so many of these events—and the thing that took everybody by surprise was that when Jim Thompson as governor was presiding, he ruled that it took a less than—yeah, he must have ruled that it took less than a majority to elect the president of the Senate. The Republican candidate, as long as there were some of us holding out, would have had more votes than Phil Rock, the Democratic candidate. I think I was probably the one who stood up and objected and pointed out that it was quite clear from all of his rulings back in '76 that he believed and we believed that it took a majority, a so-called constitutional majority, to elect the president of the Senate and that he was absolutely dead wrong.

I can't remember how we got out of the session that day, maybe just temporarily adjourned or something. But our only way of fighting back at that time was to prevent a quorum from being on the floor, I think. I'm trying to… Some of the things I'm saying right now don't seem to fit together; we must not have had enough votes, and maybe we had a couple missing. Maybe that was the problem. I'd have to think back about that, as a matter of fact. Maybe that shows up in some of the things you've read about it. But in any event, he was going to stand by that ruling, and we couldn't overcome it except by simply not having a quorum on the floor. I think everybody had gone off into caucus, probably, after that initial bombshell, and I was in a position somehow to be able to individually singly get on the floor and file the objection or raise the objection, but we couldn't go ahead with resolving it because the votes weren't there. And so we were staying off the floor to avoid a—you know, what do you call it? A—you know.

DePue: A procedural vote, or…?

Netsch: Well, no. You need a quorum—I'm sorry, a quorum. And then at one point—and I can't remember how many days this went on, but I think it did go on for a few days—I remember Frank Savickas wandered onto the floor, and that was caught by whoever was presiding. They said that there were enough—a quorum was present and we would proceed with the proceedings. And of course then Frank ran off the floor. And there were all kinds of conspiratorial theories going about, that he had done that deliberately and maybe in cahoots with the Republicans or whatever, whatever. In any event, this was sort of going on back and forth for days, and then a lawsuit was filed. I assume the lawsuit was filed by Phil Rock, and in time, the end result was—I think the

court ruled that it did in fact take a constitutional majority to elect the President of the Senate.

DePue: Well, the end result—I know that Rock ended up being elected as the Senate president.

Netsch: Yes, right.

DePue: Now, was part of your, the Crazy Eights, again, if I can use that term—that's your term, I think, or is it the paper's term?—was part of that effort to get some leadership positions for the independents?

Netsch: You know, we had won some of that back in the battles earlier, and it would have been probably aimed at maybe some more recognition of the fact that we were not part of their machine. One of the things—and this was always my big issue—was to try to get rules that worked, not just more favorably for us, but which just made the whole process work more favorably. I was painfully aware of the fact that sometimes the outcome of legislation is not a substantive battle but a procedural battle. So a lot of what we had fought back in our earlier battles had been to try to get rules changes, to just make the whole process be more open and accessible to everyone, so we may well have had rules changes and something else involved in that. I would have to tell you I am momentarily and embarrassedly not absolutely remembering clearly what the problem was at that time. But I don't think we were trying to get Phil out. That was not the problem. Probably we had intended to hold out for some changes that we needed.

DePue: Well, I suspect that the *Tribune* was reporting on the midst of this battle and maybe making some suppositions themselves on that respect.

Netsch: What did they say we were…?

DePue: Well, let me see if I can find it quickly here. (Netsch laughs—pause)

Netsch: But I remember lots of funny stories about everybody staying off of the… (pause)

DePue: "It was the most audacious political maneuver of Thompson's four years in the executive mansion." And this is from January 16, 1981. "The Grinch who stole Christmas had nothing on James R. Thompson," that's how the article starts, written by F. Richard Cicce—

Netsch: Ciccone.

DePue: Ciccone? Let's see. "Most audacious political maneuver of Thompson's four years in the executive mansion. Several risks involved with the parliamentary sleight of hand he employed to install Senator David Shapiro, Republican envoy, in the presidency of the Senate. But Thompson apparently perceived

more gains than losses when he decided to usurp Democratic control of the Senate and step into the power vacuum created when independents, downstaters, and allies of state's attorney Richard Daley,[7] balked on reelecting Senator Phil Rock to the presidency." Now I'm jumping down a little bit. "The dissidents claimed Rock was too beholden to Mayor [Jane] Byrne and too stingy with leadership positions. State Senator Dawn Clark Netsch, Democrat, Chicago, led the holdout … because he refused to give her an assistant majority leader's position."

Netsch: No, I didn't care that much about that. I wanted a woman in the…

DePue: I know that's going to come up later in the 1980s as well.

Netsch: Yeah, yeah.

DePue: So that's where I was getting that, and I don't know if that helps bring anything back to memory, but…

Netsch: A little. (laughs)

DePue: Or maybe again, just the *Tribune* trying to sell some papers.

Netsch: Well, I mean, probably there were… Even before you reminded me from the *Tribune* story, you know, usually when we were doing battle—when I say "we" I mean the components of the Crazy Eight, although it's interesting you said Rich Daley was part of it too.

DePue: Yes, that caught my attention.

Netsch: I don't think our objection would have been specifically so much to Phil as to, again, opening up the process in a way that all of us had a chance to participate and that it wasn't just controlled by the inner circle. And that's the sort of thing that we did have fights about frequently. (laughs) Some of it is reflected in the desire to have leadership positions. And, of course, that's one of the things that got worked out in '76. You know, we had Terry Bruce in leadership and we had Ken? and…oh…Washington Uni—downstate… it'll come back in a second. Anyway. And just an opening-up of the process. And we did. We fought those battles a lot of times. I'd almost forgotten that that's the way that one had come up.

DePue: Here's a more general question for you, then. Clearly this group of independents were exerting their power, if you will, and trying to exert some more influence over the process, but was there some downside of being independents, of not being more amenable to the established leadership, in terms of once you got down the road and you're fighting for legislation?

[7] Son of the original Richard J. Daley, deceased Mayor of Chicago, who later succeeded his father as Mayor.

Netsch: Oh, yes. (laughs) We were never among the most popular with some of our colleagues. Yeah, you may pay a price in terms of losing your legislation because somebody's not there to vote for it. Now, some of that might have been present anyway, especially in my case, because I was sort of the liberal of the crowd, and so my legislation is always the kind that takes forever to get passed.

DePue: Well, not just the liberal but the vocal liberal, were you not?

Netsch: Yeah, yeah. Well, and in the Crazy Eight, you know, we were not—I mean, everybody thought we were all wildly liberal; we weren't. You know, Jerome Joyce, Terry Bruce, Vince Demuzio, those people were not all—they were certainly moderate—but I don't know that people would use the word "liberal" to describe them. What we were was Democrats, but independent of the control of the Chicago machine, and we wanted recognition of that.

DePue: I want to then have you characterize the nature of your relationship with Senator Rock.

Netsch: Well, it was always sort of a—in fact, I still say sometimes jokingly, sometimes right to his face (laughs) when we see one another—I said it was a love-hate relationship. (laughs) It was sort of a complicated relationship, not just for me but for some of the other members of the group. There were a couple of them who were personally very close friends: both Farmer Joyce, Jerome Joyce from downstate, and Ken Buzbee, became sort of part of Phil's social network, if you will, and I think the others of us were not. But for all of us, those first couple of times when the Daley machine decided to put Tom Hynes in instead of Phil Rock, and it had always been sort of assumed that Phil was the heir apparent, the one who would be president of the Senate, and then we don't know; we always heard it was young Rich who didn't like Phil Rock, but to this day I don't think I know that for sure. I don't think I've ever asked Rich that, but somebody in the machine didn't want Phil Rock there, and so they, in effect, dumped him even before he got started, and went for Tom Hynes. And that's when we had the big battle. Of course, at that particular point in time we were very sympathetic to Phil Rock. I remember even going to a small fundraiser—not a fundraiser, a reception, I guess—that he had while he was being ousted from that leadership position. So we were supportive of him in that respect.

DePue: Tom Hynes had only the two years, '77–'78 session, that he was the Senate president.

Netsch: Seventy-seven, '78, yeah, yeah. And I don't think we had any major problems in his becoming the successor, then, to Tom Hynes, because he was, I guess you could say, in some ways sort of our choice before that. But then in all the years thereafter—because Phil was President of the Senate for a long time while most of us were there—there were good days and bad days. There were

times when we thought he was still too close to the Republicans in terms of—and I don't mean that we were anti-bipartisanship; we were probably much more for it than a lot of the other guys were. But sometimes he would still do some of the cutting of deals with them in effect to punish us.

There wasn't enough of the opening-up for the fact that we were also Democrats, even though we represented slightly different points of view. So there would be bad days and days when we thought we needed as Democrats to exert some strong leadership to get something done, and we had the feeling that Phil was not doing it, for whatever reason. He had moments when he could be sort of, oh, moody, sullen a little bit—I don't think anybody would contradict me enormously in that respect—and sort of withdrawn, I mean, not willing to stand up…

DePue: Do you think his motivations were more political than some of the independents?

Netsch: Well, he always made a point of this—and quite openly—saying he was part of the machine. I think he said it even more strongly than he actually was. But, you know, that was important to him at the time, although once you were a Senator and part of his group, if you will—I mean, part of the Senate Democrats—he would really go to bat for you in any other context. Because there were a couple of us—I think he supported me a couple of times in primaries when I might not have been his personal first choice, because, you know, I was part of the Senate Democrats. And that was true with some of the others. So, as I said, it was always sort of a… I mean, we'd have days when we would be so mad and frustrated with Phil and then other days when we were filled with admiration. One of the things that I think all of us—I say all of us, probably all of us—certainly most of us in that group would have applauded was the fact that he was willing to sit down and negotiate with the governor and try to work things out, which is absolutely essential to get anything done.

DePue: I wanted to take you just a couple years beyond this timeframe, and now I think we're into 1982 or perhaps '83. You had a census in 1980, which means there's going to be redistricting, and the legislature always takes an intense interesting in redistricting—

Netsch: (laughs) Yes.

DePue: —because they're carving up their majorities for the next ten years is the way they see it.In that particular redistricting, there was a movement afoot to basically cut you entirely out of the picture, to throw you into William Marovitz's district and let the two of you kind of run against each other and possibly eliminate you entirely. I'm going to read you a quote, again from the *Chicago Tribune*. This one's credited to David Axelrod, but Axelrod is quoting Phil Rock. "We didn't want to wipe out the black district," says Rock.

"I have a responsibility to my party in Chicago. How can I tell U.S. Representative Danny Rostenkowski that a guy from his organization, Walter Nega, has to go, and how can I tell Ed Nedza to give up his seat?" And that was his rationale for, well, it must be easier for you to be the sacrificial lamb than for these other people.

Netsch: Oh, sure, yeah.

DePue: Any comments, or remember that particular scenario?

Netsch: Oh, no, I mean, there was no question they were out to eliminate my district, whether it was for a matter of convenience or because they weren't quite sure who else they wanted to get rid of or whatever. I could probably go back and find some quotes of my own that I would not necessarily approve of, which is the idea that when you're in legislative office you sort of own the district and everybody owes you that district back again, which is what most of us reformers complain about a great deal. (laughs) I'll bet a dollar I was saying some of the things like that at the time or something like it a little bit. I think there was a little bit of malice aforethought in going after me. I was sort of an easy target and somebody who was still somewhat in their hair once-in-a-while. The thing that was so funny about it, though, was—well not funny, but a little bit—was even though the district they were drawing was clearly designed for Bill Marovitz, the last thing in the world Bill Marovitz wanted was to run against me, even though he probably could have won that district because it had most of Ed Kelly's Forty-seventh Ward in it, which would have been completely against me, so it would have been that the district was being designed primarily to make it possible for Bill to win. But (laughs) he didn't want to be in the position of having knocked out the female liberal on the lakefront. (laughs) And so, you know, we were almost like coconspirators to try to figure out what to do. What happened in the end, I think, was that, you know, we did go to the tiebreaker mechanism that year, and—

DePue: The drawing from the hat or the cup.

Netsch: Yeah. And even though it's interesting when I go back now and review all of the history of how that provision ever came about—and I did that for the Senate Redistricting Commission this year—in fact it had become the two people that are the two potential tiebreakers were very partisan. It was Sam Shapiro, and I think Bill Stratton was the one on the other side, I believe, and Sam Shapiro's name was drawn from the hat. Now, in the old days, probably, whoever the Democrat was would have been quite happy to do whatever the organization guys wanted done, but Sam Shapiro and I were friends and had known one another for years, going back to the days—well, actually, I think maybe even before I was working for Kerner, and then when I was working for Kerner and he was the lieutenant governor; we shared a great interest in the whole mental health program and had worked together on a lot of things involving that, so, you know, we had a very good relationship. And then on

the other side, he had known I think Billy Marovitz forever and ever, and if I remember it correctly, I think he was very close to Bill's uncle, Abe Marovitz. So he didn't want to really end up hurting either one of us, and since Bill and I basically were of the same mind, maybe for slightly different reasons—(laughs) I because I didn't want to be defeated and Bill because he didn't want to defeat me—the district's lines got drawn so that we both had a district left.

DePue: Why would he have been in a position to beat you in a primary?

Netsch: Mostly I think because a couple of the wards that would have been part of this redrawn district, the Forty-seventh Ward especially, which was Ed Kelly's machine ward, and he would have been all for Bill Marovitz. And there were a couple others. I think we had part of Rostenkowski's area and maybe a couple of others. If you just looked at the numbers, there was no question; he could win that race.

DePue: This is very much inside Chicago politics we're talking about now.

Netsch: Oh, this is, yes, yeah. But I don't even know if it's in the book about me, which I haven't read yet, but Bill and I have talked about this. We're good friends, and we both understood that (laughs) it was not in either his interest or mine for the district to be drawn the way they were projecting it.

DePue: Well, this one, just to kind of give you an opportunity to reflect on the 1982 gubernatorial election if you want to. Obviously that was Jim Thompson versus Adlai Stevenson, and at the time it seemed to be anybody's race.

Netsch: This was '82, yes, and that was the one that was, what, five thousand vote difference?

DePue: Mm-hmm. I'm not sure what the spread was, but it was very close.

Netsch: Yeah. I think it was like five thousand, and there should have been a recount, and there was not. That's something that I know Adlai has always been very, I guess you would say, bitter about, unhappy about. He thought there should have been and that the court's ruling was absolutely wrong.

DePue: Well, let's move on and get your reflections on some of the other legislative leaders at the time. Obviously you're in the Senate. You've talked already about your relationship with Phil Rock. That leaves the Republican leader at the time, which is James "Pate" Philip.

Netsch: (laughs) I don't like to get too personal about anything, but there are not very many people in politics that even though I disagree with enormously I can't manage to tolerate, work with, whatever. Pate was one of those that I could not, I think. He just was so anti-everything. I mean, anti-Chicago; oh, God knows anti-liberals; basically anti-women; oh, anti-gays, gee whiz; anti-

anybody who's pro-choice. What else? Oh, Hispanics. Oh, he did some terrible things.

I remember there was one thing on the floor of the Senate. Obviously we were talking about funding for bilingual education. I swear he said almost exactly, "Why don't they just learn English?" or "Why can't they just speak English?" or something like that. I mean, he just was so…I guess you'd call him almost Tea Party in today's terminology, and not nice about it most of the time. You know, they were pretty nasty comments. I guess the other thing I always resented somewhat about Pate was he didn't really like being a legislator. We always wondered—in fact, one of the reasons why that constitutional amendment which, in effect, shortened the legislative session by a month got on the ballot was, you know, Pate was the one who was pushing it. And the reason why, he didn't want to be down there, and every time he arrived you could almost hear him say, Let's get this over with and get out of here, go hunting or fishing or whatever. And I guess that bothered me a lot also.

DePue: Okay. Well, on the House side, where you obviously didn't have as many relations but I'm sure you knew these people pretty well: Mike Madigan.

Netsch: You know, we didn't have as much relationship. Actually, I go back earlier, when Bill Redmond was there, whom I adored, and who was just a lovely, highly principled, very substantive person. With Mike Madigan, I think you always understood that he had his major commitments, which were political commitments, not strong substantively, although once in a great while, if he ended up deciding that one of your positions, one of your legislative agenda items, was worthwhile, it could be terribly helpful. (laughs)

I think the one time, the first time I really was aware of that was, I believe, when I was pushing my partial public financing of the gubernatorial election, combined with limits on campaign contributions and that sort of thing. That was in '83, I think. And, you know, a pretty dramatic piece of legislation for 1983—another one, by the way, that people keep forgetting I passed it, actually, through both houses at that time, you know, public financing and limits on campaign contributions. I really was working my tail off on that one. And if I remember this correctly, I think that was one that Mike decided was a good one for them or maybe some part of his group of House Democrats, and so he was for it. That obviously helped enormously in getting it passed out of the House.

DePue: When he first got the House, the assumption was that he was Richard J. Daley's guy in the House, that he would be the one who would basically carry the message to the rest of the House members.

Netsch: I don't think he ever was. Jerry Shea was. All the time Jerry Shea was there, I think. Yeah.

DePue: So where is the base of power that Madigan was relying on? Where was his constituency?

Netsch: Well, it still would have been the basic machine vote, I think, even though he might not have been the one who had the mayor's ear directly, and now we're talking about the original Mayor Daley. Because I always have thought of Jerry Shea as being the mayor's—if something needed to be decided, the mayor would relay it through Jerry Shea. But, you know, the machine guys were a much stronger factor in the legislature then than they are now, and he was certainly a part of that mechanism. I mean, his father had been an alderman and a committeeman, and he also had been a Con Con delegate, so I'd known him somewhat during that period. So it was just, you know, that accumulation. And things sort of moved on.

I'm not sure I can fill in all the blanks on that because I was not a member of the House and I didn't sort of see it all developing. But over a period of time, particularly after Quinn helped to pass the Cutback Amendment, he became the source of most of the funding. And remember, fundraising for state legislative races was simply not then what it is now; the leaders could raise some money and distribute it. I think I remember they magnanimously in one of my races gave me a hundred dollars, I believe, or something like that. (laughter)

DePue: So we're talking about the Four Tops, and on your side it would be Phil Rock who was doling out the money to other Senate candidates, and for Madigan doing all the same thing for the all the Democrats in the House?

Netsch: Yeah. I think it was a little bit less so in the Senate than it was in the House. I think they began to develop that network and that system probably much sooner and more efficiently than the Senate did. Well, we did have a Senate fundraising committee which presumably included all of the Democrats in leadership, I mean, Phil Rock and whoever else was on the leadership team. And we had a few fundraisers. Again, we're not talking about the astronomical sums that get raised today. I'm not even sure that it was completely decided by Phil alone. It might have been more of a joint decision in the Senate, but I think over time in the House, that certainly was not true.

DePue: So maybe we've identified part of the source of Madigan's power, is that he controlled a lot of the money going to these races, but what else about Madigan's personality or the skills that he brought the position?

Netsch: Oh, well, he's a superb politician; I don't think anybody would deny him that. And he knows how to crack the whip when he wants to, and I think he also knows how to let people be a little bit freer if it's important for them for their reelection. You know, everybody says—this is not me alone—that Mike Madigan has two priorities: Democratic control of the House and Lisa

Madigan,[8] and we're not sure from day to day which is the primary one. But he also, I think, understands, particularly back in the cumulative days, I mean, when there were more—

DePue: Pre-1982, yeah.

Netsch: —yeah, when there were more sort of liberal Democrats around, that there were certain things that they needed to have, and he was great at co-opting a lot of them. You know, even Woods Bowman, who is highly principled, and very substantive was put in positions, given authority over certain issues that were important to him, and that made him tougher for him, for example, not to vote for Mike Madigan for speaker or something like that. (laughs) Barbara Currie and others were put in positions where they were allowed to flex some of their muscles on things that they cared about because Mike allowed them to do it. (laughs)

DePue: Well, that leaves only one other, or actually two others, and that's the House Republican leadership. I think for a short time that's George Ryan, but then primarily through the rest of the eighties, it's Lee Daniels.

Netsch: Yeah. Well, of course, I had always had a perfectly good working relationship with Lee because we shared one issue, which was merit selection of judges, and, you know, got along fine apart from that also. As the person who was the principal proponent and sponsor of merit selection for all of the 18 years that I was in the general assembly, but I always made sure that in the Senate it was a bipartisan sponsorship. Well, later on it was usually Bob Kustra that I had as my joint sponsor. In the House, particularly when the House was under—let's see, it was under Republican control for a few of those years, I think—but in any event, Lee Daniels was the principal Republican in the House whether he was minority leader or speaker. Lee was committed to merit selection, so he was always my Republican sponsor in the House, and then, oh, it could have been John Dunn was often the Democratic sponsor.

DePue: Yeah, the only timeframe that the Republicans had control of the House was '81–'82, and that was George Ryan, and then '83 on it's Lee Daniels until you get down to '95–'96.

Netsch: So he was the Republican leader but not the speaker. In any event, he was my chief cosponsor over there and I think was quite committed to the issue, too, by the way. So in that sense we always had a perfectly cordial working relationship.

DePue: How about with George Ryan when he was there?

Netsch: I don't really have that much contact with George Ryan for some reason. Of course, we never forgave him for what was thought to be his decisive position

[8] Lisa Madigan, a lawyer and politician, daughter of Mike Madigan.

on the Equal Rights Amendment, but then we couldn't get the Equal Rights Amendment out of the Senate, either, in the ratification. But I know it was particularly bitter to the women in the House because they thought that a lot of what went wrong over there was directly attributable to George Ryan, and I think people like Susan Catania still (laughs) are bitter at George Ryan for that reason. Of course, I was also influenced a little bit by the fact that he came from the same general area as one of my Crazy Eight buddies, Jerome Joyce, the one we called Farmer Joyce.

DePue: From Kankakee area.

Netsch: Yeah. So we always had all kinds of sort of inside things about George Ryan and his machine and everything from Jerry, and that probably influenced me somewhat. I don't remember having a huge amount of contact with him, though.

DePue: Well, and again, being in the Senate and these people we've talked about here at the end being in the House, unless you're part of that top leadership that goes to the governor's meetings and hashes out various legislative issues, especially budgetary issues, you probably don't have that many opportunities to deal with each other, do you?

Netsch: Across the two houses, you mean?

DePue: Yeah.

Netsch: In general I think that's right, although one thing, if I have not brought it out before, that I feel very strongly about that we did with respect to the appropriations process in the Senate, and I cannot tell you how much it might have been done in the House—I think a little bit but probably not quite as much—is the appropriations bills were spread around by the members. It was not all tightly controlled by the leader. Now, the final package might be more controlled by the four leaders and the governor, but those of us who were interested and able to do it were given certain areas to be responsible for, which meant you got to know a lot more about the intricacies about the budget in those particular areas and you got a different viewpoint because there were various different individuals that were handling them.

I remember one year I was in charge of pretty much the environmental aspects of the budget, and that meant not only the agencies but also the attorney general's office because they had a major responsibility and certain other things. And so, you know, I knew that stuff very well and also got to participate in the budgetary process because I had an area that I was responsible for. Some other members had areas that they were responsible for. That was a much better process, I think, first of all, just in terms of helping to educate the members of the Senate on—the budget, after all, is practically the

entire thing every year, (laughter) and more of us got to understand its role and the role of particular component parts of it.

DePue: Were there occasions where the House would pass one version of the bill, the Senate would pass a different version of the bill, and there would have to be a joint committee that was formed—

Netsch: Yeah, a conference committee. Sure. Lots of times on that, yes.

DePue: Okay. So would that be the one time that you did have a chance to interact with some of the House members in more detail?

Netsch: Oh, yeah, yeah, right. Well, I don't mean that there were no chances before that, but you tended to obviously be much closer within your own house. And sometimes there was very bad feeling between the two houses. The Senate would talk about the House as though they were a bunch of, I don't know, ruffians or something like that, and the House members always referred to the Senate members as, you know, the House of Lords and arrogantum. A lot of that went on, and that still goes on from time to time. There can be extreme resentment between the two houses.

DePue: Well, isn't that somewhat by design in terms of the state constitution? It certainly is at the federal level, in terms of the membership and how often they're elected.

Netsch: Yeah, right.

DePue: Are the rules in the Senate different than the rules in the House in terms of debate and procedural?

Netsch: I think they are again. Of course, we fought for a lot of changes in the Senate rules. That was part of the Crazy Eight's agenda, and I still have buried, I think someplace in my files, the changes that I had written out in rules and procedure for us, that were part of our agenda. I think I mentioned once before, one day I pinned the Senate down for, oh, cripe, it must have been two or three hours one afternoon—did they hate me that day!—with all of our proposed amendments to the rules. By that time, they had decided to blow them, I mean, to not let them pass. I think only one of my seventeen amendments passed that day. But even with that, we had managed to get rid of proxy voting and managed to do a fair number of other things.

My understanding is, and this is basically a time period after I had left the legislature anyway, that when Pate Philip became--I've forgotten when he became president of the Senate, but anyway—he really changed the rules back to sort of Neanderthal days,—almost total power in the leader and a few things like that. And Emil Jones kept it that way. I used to hear complaints about Senate members regularly about the process and the procedures and how bad they were. Then someone told me—I can't confirm that this is true or

not, but I've been told this by some of the House members—what happened was that Madigan after a while decided that the Senate version of rules was really pretty good because (laughs) it kept all the power in the leader, and so House rules were changed a good deal to tighten up the control of the leader.

One of the things that John Cullerton did when he became president of the Senate was he did recognize… In fact, I remember talking to him about this, actually when he was just talking to me about the possibility of becoming president of the Senate, and I said, "One of the things you've got to do is you've got to make sure the rules are fairer and open up the process more." There were several members of the Senate once he became president who also—in fact, I remember meeting with a few of them—well, Carol Ronen and Heather Steans and a few others who sort of understood that too and wanted to do something about it—and they continued to work on it and I think have made some progress. They may still have some more to do. But Cullerton was more amenable to allowing more flexibility and not concentrating all of the control in the leader.

I don't know that anything has happened at the moment in the House, although I know that there are several House members who also would love to see changes in their rules as well, and it wouldn't surprise me terribly if there weren't a movement to try to do that when the new House convenes.

DePue: Either when you were a member of the Senate or perhaps now, was there anything akin to what we have at the federal level in the Senate with requiring a supermajority to get anything passed, to allow filibusters or things like—

Netsch: No filibusters, no. No, the only filibuster is allowed is what—well, actually, I think both houses have a time limit on debate. I think it might be something like five minutes per member in the Senate at one time; I'm not sure that it is that way right now. Of course, that to me (laughs) is unconscionable because—

DePue: I was going to say, you had the reputation for being vocal fairly often.

Netsch: I wasn't as vocal that often as everybody seems to think I was, but, you know, I did speak up on some things, obviously. But the idea that on an important issue everyone would be confined to just five minutes is a little bit bending too far the other way. But there is no such thing, basically, as a filibuster. And all of that, including even timing people if the timing limit is in the rules—which I think it is at the moment—is heavily within the discretion of whoever is in the chair presiding. You know, they can watch their clock closely or not. (laughs)

DePue: Okay. One other issue here in terms of politics in the Senate at that time, and this is going back to some struggles with the Senate leadership and specifically with Rock. This is January 1986, so once again reorganizing after

an election, another attempt for you and independents to gain some leadership. And I'll quote Rock here, and I think I got this right from Cynthia Bowman's book: "There is no way I can accommodate you"—"you" being yourself—in a position of leadership. You ran as an independent against the organization; you have consistently stood up against things that the organization has wanted. Now that you've judged the organization, to promote you for an assistant leadership spot is simply not going to happen."

Netsch: (laughs) I didn't know Phil had ever said anything like that. I think probably that was the year that my biggest thing was to try to get a woman in leadership. What I understood, I was trying to get the women to come together to be the bloc that stood aside until something happened in that respect, because everybody else had a woman in leadership by then except the Senate Democrats, which seemed to be absolutely the wrong thing. Even Pate Philip I think had [Adeline] Geo-Karis as, what? caucus chairman or something like that, I believe. So that was sort of a sticky point for—well, for me and for a lot of other people, a lot of women, anyway. The thing that I was aware of, though, was that they could pick off some of the women as having been part of some other group, like Vivian was part of the Crazy Eights, so she was already represented in leadership.

DePue: Vivian…?

Netsch: Hickey. Or was it—yeah, Vivian was still there in '86, I think, yeah. Earlean Collins was part of the black caucus, so she was already represented, and same would be true with Margaret Smith. I had actually heard this from some of the guys who were part of the regular Democrats, that, you know, Well, how dare, for example, Vivian want to be in leadership, because she's already represented in leadership? You know, I could see the scenario of what was coming, and that worried me a lot, because that was a good excuse for not allowing any one of us in. So at one point I said, "I'm the only one who doesn't really belong to any—I'm not a Chicago Democrat, I'm not a downstate Democrat, I'm not a black Democrat, I'm not—" you know, on and on, "—so so maybe I ought to be the one." Now, maybe that's what Phil was responding to at that point. But we finally settled it, and only a couple guys stood up for me then—a couple of the Rich Daley guys, by the way—Jerome Joyce and Tim Degnan, and I don't know whether anybody else. So it was very awkward by then. And the only way we finally resolved it was Phil made a commitment that the next leadership position that opened up would go to a woman. And he lucked out because the next one that opened up was in the black caucus, so he could choose Earlean, whom he would never have chosen otherwise.

DePue: A little bit different twist here, but did you resent being tagged "the lakefront liberal"?

Netsch: No, it didn't bother me. It was basically true. I was liberal, and—now, the lakefront may have been a slight misnomer because although it's true I had the Gold Coast, and—well, Lincoln Park was becoming more and more upscale during the years I was representing—but of course I also had Cabrini Green and other things in my district. But no, it never bothered me that much. I never pretended that I was other than a liberal. And the only thing that I occasionally would stop somebody about and say that when it comes to finances, I'm almost Bohemian:[9] I don't believe in buying something I can't pay for, and that includes public money. I feel very strongly about not getting the state in debt, debt, debt, debt, debt.

You know, debt is quite appropriate for certain kinds of expenditures, I mean, long-term expenditures and that sort of thing, but to borrow money…n fact, I was approached when I was in the legislature even about the possibility of bonding out the unfunded pension liability, and I said, "Thank you but no thank you." Of course they've done it since then, and it hasn't solved their problems one bit. That was sort of interesting because, just jumping ahead a little bit, when I become comptroller, you know, the state was broke then, too, nothing like right now, but it was—

DePue: Nineteen ninety-one, yeah.

Netsch: —but it was in very bad shape. In fact, I remember walking into…the guy who ran the office for Burris. Tom—here I go with names. Anyway, it'll come back in a minute—his chief deputy really, and he said, "Sit down, I have two interesting things that you should know about. One is the state's broke, and secondly is that our computer system, all of that, is about circa 1970." (laughter) In other words, totally, totally out of date. So we were in terrible shape, and not too long after, I was starting to hear about the people who weren't being paid because we didn't have the money to pay them, and a few pharmacies that apparently had to close their doors and things of that sort. So I realized that we had to borrow money to try to catch up on our unpaid bills. These were short-term borrowings, though. And that's when I went to Edgar to plead the case, and I don't think he understood it at all at that time.

DePue: Well, I'm going to ask for your patience here, because next time we get together I hope to spend a lot of time talking about your years as comptroller and dealing with those issues. I'd like to draw you back to the 1980s. This is a perfect transition, because one of the things that I wanted to spend in substantive legislative issues, was your role as the Chair of the Senate Revenue Committee. So let's go through some of the issues that you dealt with on revenue and finance. First of all, how did you end up finding yourself as the chair of that committee?

[9] Chicago has a large contingent of people whose origins are from Bohemia, people who are known for their very frugal ways. For many years, good-natured jokes circulated about tight Bohemians.

Netsch: That's where I always wanted to be. (laughter) You know, the first year I went into the legislature, we were all allowed to write down the committees we would like to serve on, and my recollection is that both that time and probably several thereafter, I wrote down revenue as first choice, in part because by then I was sort of what I call a fiscal groupie, you know, having gone through all of that in the constitutional convention and other things. I never understood why the machine guys, the organization regular Democrats, didn't want me on revenue, because I thought that was the place I could, from their perspective, do the least harm to them but maybe even be helpful. But they absolutely would not let me go on the revenue committee for, oh, several legislative sessions, I think. But, you know, that's where I wanted to be, so eventually I was able to get on the revenue committee.

DePue: Well, let's get us up to 1982. Just to kind of recap, we're talking about early in the Reagan administration, the country's in a severe recession at that time. This is the time when the interest rates were sky-high, the inflation was pretty high, and, let's face it, revenues weren't coming in as well. So you're on the revenue committee and you're struggling with that. I know one of the initiatives that you were pushing was to—let me find the right phrase for this—I'll just quote here again from the *Tribune*: "Illinois faces a loss of 1.2 billion to 1.7 billion in revenue in the next five years unless the state disconnects its tax laws from the federal formula."

Netsch: Right. Yeah, a lot of that had to do with the—it wasn't disconnection—decouple is the word we kept using. Of course, we are terribly dependent on what Congress does with the federal tax code because to a considerable extent our income tax is tied to the federal. So one of the things that they did—this is the one I remember most prominently—dramatically, as part of the Reagan tax reform, they dramatically sort of increased depreciation. They accelerated it, which would have had quite an impact on how much money one would get out of the business community from that particular component, and so the question was whether we were going to go along with that or whether we were going to decouple so that we would not also lose comparable amounts of money.

DePue: So this is very much on the corporate side and not on the individual side?

Netsch: Yeah, mostly on the corporate side, that particular part of it, yeah. That was a big battle in a lot of the states; some decoupled, and some did not. But that was certainly one of the things I was gung-ho for doing.

DePue: Well, I would imagine that the business community and the Republicans in the Senate would stand opposed against that, and I would suspect what they're saying is, We can't put ourselves in the position of not being competitive to retain these businesses or to draw new businesses to—

Netsch: That's the same thing you hear every time anything happens with respect to business taxes, and it became a big issue over the next few years also, because some of the states started trying to change the very traditional, very standardized three-factor formula for determining the amount of income of a multi-state business that would be attributed to a particular state. You know, it was income, property, and employees; that was the three-factor formula. That had been in place, I don't know, for a long, long time. And the state's pretty much helped on by the Multistate Tax Commission. Some of the states then decided—I don't know when it started, exactly—you know, maybe we can get a slight edge up if we change the three-factor formula, so a few states began to do that a little bit, and there was talk about doing it in this state. I remember I was very active with all the fiscal people in the National Conference of State Legislatures at the time, and this is one of the things we talked about at a lot of our meetings; I sort of remember a couple of my fellow fiscal groupies from other states saying, Don't do it in Illinois, because if you do it then we'll be under terrible pressure to do the same thing.

DePue: To "do it" meaning to decouple?

Netsch: No, no, I'm now talking about the three-factor formula. I'm off of decoupling for the moment. And so I felt very strongly that we should stay with our three-factor formula, and most of the well-reasoned people who worked with fiscal policy in other states felt the same way, but some of their state legislatures were doing something different. So somebody in Illinois started attempting to do it here. Basically sometimes it was just knocking off one of the factors, and in a few cases actually knocking off two of the factors and staying with only one, and that one would be the one that would be most favorable to that particular state, whether it was employment or income or property.

DePue: I kind of understand, but I think you're going to have to educate me a bit more about how this three-factor formula worked.

Netsch: Well, basically the percentage of your total revenue that comes from the property that is in the state or from the number of employees who are employed in that state or from the—what did I say?—employment, property…

DePue: Depreciation, was it?

Netsch: No, depreciation had to do with the decoupling. I'm on two separate things right now. Employment, property, and sales, yeah. And you sort of determined what portion of your income is based sort of in that state of each of those, and then that helps determine how much of your total income—this is terribly oversimplified—for a multistate company is going to be paid in the way of corporate income tax in state A. Then state B in the old days would have been using the same three-factor formula, and that means that one state then doesn't get to tax the entire income or profits, if you will, of a corporation, and it kind

of spreads it out and makes it fairer. I mean, that was the whole idea. And the multistate tax commission had come into existence in part to help solve the problems of, What do you do, particularly about businesses, and in some cases individuals, who cross state lines. You know, who gets taxed so much of what they are earning? And the three-factor formula, as I said, had been in effect for most states that had a corporate income tax for a long period of time, but then a few began to sort of find a difference in that formula that might be more beneficial to their state. And so there was a little bit of falling off beginning to take place, and most of us who were involved with fiscal policy, like at the National Conference of State Legislatures level, thought it was a bad idea and were trying to prevent it from just taking over and sort of running through all of the states.

So I felt very strongly about that as chair of revenue in Illinois. I think once I was able to prevent the bill from getting out of committee, and I'm trying to remember if whether the second time it got out and Thompson vetoed it, but I know his revenue director and I both thought it was a horrible idea, and Thompson basically was of that opinion at that time, I assume influenced by his revenue director. So we prevented it from happening in Illinois for quite some period of time, and then some time later, Illinois went the way of the other states. Getting tax breaks: I think that was the one where I got off one of what I thought was my best lines in the entire legislative thing. You know, all the business guys always came before us and said, If you do this, we'll pack up and leave the state. I mean, that sort of thing, I mean, It'll hurt us, whatever—any change in any of the credits, whatever, on the corporate income tax, and the three-factor formula was also in that category. It might actually have been on that particular piece of legislation that I remember—I think it was the lobbyist representing, well, Aon now, Standard Oil at the time; you know, they went through several morphoses. But he was on there testifying against this piece of legislation, and ended up with the usual, Well, if you pass this we'll probably have to end up leaving the state of Illinois. (laughs) I remember in a fit of whatever leaning across and saying, Good, and if you do, will you take your ugly building with you? (laughter) That was not very nice of me. It wasn't his fault; I mean, he was being paid to make that…

DePue: Didn't like the building at all, though?

Netsch: The Standard Oil Building, not at all, no.

DePue: This wasn't an influence of Walter, was it?

Netsch: Well, you know, I suppose some of what I liked and didn't like architecturally I would assume would come from that, although I don't think I ever liked that building, though. So there were loads of things like that.

DePue: So is that to say you didn't buy the argument that businesses would leave the state or…?

Netsch: Most the time, no, uh-uh, uh-uh.

DePue: Okay. Why?

Netsch: There were so many other factors other than one little tax break here or there. You heard the same argument over and over and over, and you realized that, number one, for the most part, tax policy is not the primary determinate of where business locates anyway. You know, the population base, maybe the transportation base if that's important, the worker skill, you know, a whole bunch of things. Tax policy is part of it, but most of the surveys that have been done over decades find that for most businesses, tax policy, unless it were a confiscatory tax, which is not generally true, is not the primary deterrent of where to decide to locate. So you'd get tired of hearing that argument over and over.

The one time I wasn't so sure that it wasn't true was when the White Sox were trying to get the new stadium. Somebody was building a stadium in Florida which presumably they would have access to if they left the state, and I was not quite so absolutely sure that they might not have packed up and left. Anyway.

DePue: Well, let's get to 1983. Obviously revenue committee, you've got an important role to say when Governor Thompson is looking for more revenue and actually makes the recommendation of raising income tax, from 2.5 to 3 percent for personal income tax and from 4 to 5 for corporate income tax. Do you remember that debate?

Netsch: Yeah, I think that was probably the year—well, I remember two things. One, Jim Thompson, at least on two election cycles, claimed the state was in great shape, and—

DePue: Yeah, this is right after an election campaign, how about that.

Netsch: Yeah, and right afterwards he suddenly learned that the state was in bad shape, which was always very frustrating. Phil Rock always tried to be helpful to him when there was a real need for something like that. I don't know whether Thompson was grateful or not, but in any event, but I do remember one of those times—I don't know whether it was '83 or not—we were going to have a committee of the whole and sort of a major working committee in the Senate to just go through the whole fiscal thing. I chaired the committee of the whole and the hearing on it. And what I'm trying to remember was whether we actually made the recommendation or just helped to set up the facts to make the case that indeed some more revenue was needed.

DePue: Okay. Well, I know it was successful that year, but it was only passed for a short time period so that it basically grandfathered in June of 1984. Did that particular provision of it make sense to you at the time? This would have gotten you out of the recession era, basically.

Netsch: Yes, in two respects. One is that presumably it was intended to get us through a particular tough economic time, but also it was probably necessary to get the votes to pass it. (laughs) I mean, a lot of those decisions are very pragmatic.

DePue: Well, and that's why I started with a political discussion today, because it always ends up in that arena, doesn't it?

Netsch: Yeah.

DePue: Okay, jumping ahead a little bit, 1987, I believe you were appointed to the Whitley Commission; it was a commission that was looking at the restructuring of sales tax in the state.

Netsch: Yeah, yeah.

DePue: Can you tell us a little bit about that?

Netsch: Yes. That was a very substantive, hardworking committee. We had a lot of hearings and discussions and sometimes in remote places so that nobody would be bugging us all the time and we could really listen to things. Basically, we had a slightly larger and broader agenda maybe when we were appointed, but what it came down to was a recognition that we really did need to restructure the sales tax in the state of Illinois, because many of the local governments could impose their own. I remember a couple of the multi-state businesses, like it could have been a Walgreens or a Sears or several of those saying that, Do you realize that we have to try to compute—and this has got to be an exaggeration, but for some reason I remember the number—like twelve hundred different sales tax liabilities in the state of Illinois? It is just an absolute nightmare. And I think all of us came to believe the same thing.

DePue: Well, and Illinois has the reputation of having about as many local, independent governing agencies, institutions, as any state in the country.

Netsch: Right, but most of them don't have the authority to impose a sales tax. But the home rule cities, and I think we'd authorized it beyond that in some of the counties also. So one of the things we realized that had to be done was to just get it all under one base and have one collecting agency, and we did that. That of course was preemptive, so in the end we had to get a three-fifths vote in the legislature. But that was a critical part of what we did. There would be only one sales tax—well, we started out only one sales tax—the state would collect it, it would then redistribute what used to be collected by the cities and the counties, their share, which they had gotten used to, and then nobody else. The cities could not do anything more to impose a sales tax, cities or counties,

unless they did it pursuant to the standards that were set in the state statute, and that was they could do it only a half percent at a time and they had to do it on the same base as the state sales tax.

DePue: The same base being…?

Netsch: Well, you'd tax the same things. For example—well, one thing we didn't get that we actually wanted, to even in a sense reimpose the sales tax on food and medicine but try to counter the fact that that's a pretty unprogressive way of doing it by either allowing credits or something else to help people out at the lower economic level. But everything would be so much simpler if everything, like all food was taxed. This was one of the things that had developed, and as far as I know, this is still true to this day, is the question of what's food and what is not food or what is medicine. You know, medicated shampoo was free of the sales tax. Well, going back one step. In the end, we decided to allow the sales tax liability to be exempted on food and medicine. The state would still be doing all the work so we would not be costing the local governments quite as much lost revenue. That was at their pleading.

Administratively, we would have preferred not to do that. We would have preferred to have no exemptions, but to make up for poor people in a different way. And one of the things that was always a terrible problem was (laughs) as I said, what is food and what is medicine? Medicated shampoo was not subject to the sales tax at all. If you didn't have "medicated" on the label and it was just a plain shampoo, it would be subject to the half percent for cities and counties. I mean, things like that. What used to always be, the funniest of all, was—this goes back even before this time—I remember California—this was at the time of Con Con when we were trying to figure out what to do about the sales tax—and California subjected green olives—how was it?—to their food sales tax but exempted black olives or vice versa, I don't remember. You know, you've got checkout counter people trying to decide whether something is or is not subject to the sales tax, and the same is true of some of the medications. So it really does make an awful lot of sense to impose it across the board but to try to help people for whom that is a real problem in other ways.

DePue: And this is in the days before they had bar codes that would do that automatically.

Netsch: Probably so, yeah. Yeah, I suppose the bar codes would probably take care of that now, wouldn't they? In any event, the main thrust of our report was to do away with all local sales taxes and have the state collect everything and collect it on the same base but allow some home rule units to maybe impose a little bit more—but only pursuant to the state-authorized statute—and the state would still collect it for the city or county.

DePue: You just said, though, "to do away with." I think what you meant to say is they're not the collecting institution.

Netsch: Yes, right, yeah. And they can't just go adopt an ordinance to impose a sales tax on X, Y, or Z, no.

DePue: So how tempting is it now, if the state's collecting local tax revenue, for the state to retain that maybe a little bit longer or to not—

Netsch: Oh, it was doing that, and it was doing it—I think it doesn't do it quite as much with the sales tax revenue, but we also share a big hunk of the income tax with cities and counties. One of the things I discovered when I was comptroller—this leaps ahead a little bit—is that we were holding back, because, you know, we couldn't pay everybody; we didn't have enough money. And so one of the things that was often not being paid on time was the local government share of the 10 percent income tax. And, interesting, when we had that terrible flood along the Mississippi—

DePue: Nineteen ninety-three.

Netsch: —and I was talking to some of the local government people—you know, I took a trip out there to a bunch of people—and said, "What can we do to help you?" and a bunch of them said, "Just get us our money on time. You can't send the sandbags or whatever, but we've got to buy everything, and we just have to get our money on time." So when I went back to talk to… Well, we could pretty much do that on our own anyway, but I explained to Edgar that that's the one thing we could really help them with, and so we did. Instead of holding back on it, you know, we probably had to hold back on something else, but particularly the—well, of course, once you say you're going to pay the cities, you have to pay them all at the same time, but that was something that I think was very helpful to them. There was something else that came up that we were just…

DePue: Well, this started with the Whitley Commission.

Netsch: Oh, yeah, yeah. The other thing that was very interesting about the Whitley Commission, which we spent a lot of time talking about was taxing services. It was clear even then that the economy in this country had shifted and that the major source of a taxable base was not the transfer of solid goods but services. And, you know, as somebody who was involved with other states through the National Conference of State Legislatures, also we spent a lot of our time talking about the need to start taxing services. And my inclination was pretty much to be gung-ho about that except for one thing. We had relatively little (noise)—that thing comes out on its own—information about, with respect to individuals, where that burden would fall. Would it make the sales tax more progressive or less progressive? That, of course, was something I wanted to know the answer to. I filed a—I think it was not a dissent—I think it was a

concurring opinion, on the Whitley report, and I think that was one of the issues that I raised, saying, Clearly this is the wave of the future and we've got to start looking at it.

Well, you also have to start finding out a little more about it. And the thing that I just couldn't figure out at the time was, a lot of poor people are more dependent on buying certain services than are people of more means. You know, for example, they may not have a laundry; they may have to use a laundromat. They may have to eat out more because they don't have a kitchen facility. There are all kinds of things like that. Did that mean that poor people would be hurt or burdened even more by imposing the sales tax on those services? And that's, as I said, something I wanted to know the answer to.

As I understand it when I talk to revenue people now, most of the studies that have been done suggest if you start taxing even consumer services, which is where you're going to start anyway, that you will probably make it a little less regressive than the sales tax is right now. Not a huge difference. But it's not going to make it more regressive than perhaps… So, in any event, but that was an issue that we opened up, but, I must say, didn't resolve, and we just were in no position, really, to make a final conclusion about it at that time. But there were several of us on the Whitley Commission, and, as I recall, Doug was one of them who fully recognized that this was the wave of the future and that we needed to start addressing it.

DePue: Doug…?

Netsch: Whitley.

DePue: Okay, so it was named after him. Okay, so I'm curious now, because I know that when I'm going to a restaurant, I'm paying taxes for the meals, but I always thought that the rest of the services that you've talked about still aren't being taxed.

Netsch: Yeah, a lot of them still are not. I mean, the way I always explain it simply is, Why should I go to the department store or the shoe store and pay—let's see, we're up to, what, eight and three quarters sales tax in Chicago—but I go to my hairdresser and I don't pay any sales tax at all. So.

DePue: Well, list some of the other services that we normally think about, then, when we think about the term.

Netsch: Well, this always is in the service category but also the entertainment category: tickets to ball games, movie theaters, whatever, whatever. There are all kinds of things like laundry, dry cleaning, hair things. What else do we buy? Well, then—

DePue: Well, one of the traditional Democratic lobbies is the legal community, lawyers, and theirs would also not be taxed as a service, right?

Netsch: Well, that is where things always get to be interesting, whether you start taxing the professional services. Since we've talked about it over the years we've said you probably don't want to start subjecting health care services to it because it's out of control to begin with, and that just simply doesn't make any sense. I've always said I think you should tax the lawyers, accountants, what, architects, some of the other professional services, but you better go very slowly in doing that because you can get a lot of trouble, and other states have found this.

DePue: But they generally have pretty powerful lobbies that are working on their behalf.

Netsch: Well, the one that undid Florida. I think I was still in the state legislature at the time, because I remember we spent a lot of time with the Florida legislators on this. They adopted a service tax that hit about everything in sight, including—and I can't remember exactly how this worked—but if you prepared a television ad, like, in Louisiana but showed it in Florida, somehow you were going to get subjected to some kind of a… Well, it was the media people really who just went bananas over this and made such a scene about it and so dramatized what was happening that the Florida legislators finally said, That's enough, and they repealed the whole doggone thing. So it's always a question of figuring out where to start and to doing it gradually. Almost all the states that have moved in this direction—and, by the way, we're about the—oh, we're down at the bottom of the heap in terms of the number of services we tax in Illinois. Most states are way ahead of us. You know, traditionally there's about a—I'm doing this from memory—the Federation of Tax Administrators lists like about 178 services that could be subject to tax, and Illinois does less than seventy-two of them or seventy or something. A lot of them do 129 or 140, so we're way down at the bottom of the row. But I think most states which have gone through this would say, A, do it gradually, don't try to do it all at once, and you almost have to start with the consumer services.

DePue: Well, the next one here I think is going to be an important one, not just for the mid-'80s when you probably first encounter it, but obviously into the '90s and certainly into the gubernatorial election campaign, but this is school funding and how the state does it. Again, just talk to us about what your position was in the '80s and any initiatives that you were involved with at that time.

Netsch: Well, in retrospect, this is an area where I think I was not as aggressive as I should have been. (laughs) I have believed for a long, long time that indeed—because I wrote the sentence in the state constitution which says the state has the primary responsibility for funding education, and I believed that—and I thought we were doing horribly. Although, bear in mind that, for a period of time early in my legislative career, we were moving up. We got up to the point where—it sort of depends what you include in your base and all, admittedly—but by most of the measurements we were up to about 48.6

percent of the total cost of public education—this is elementary and secondary; I'm not talking about higher at the moment—was being funded by state funds, and then it began to go back down again. I think we're probably around 32 now. So things were moving in the right direction, and some of that had to do with something that was adopted early in my legislative career. I was delighted with it but I had nothing to do with it. My recollection is that a few of the Republicans maybe who were the good guys, and I remember Tom Hynes being very much involved in it also. It was a resource equalizer which said that if you tax at a certain level you will be guaranteed a certain amount of income even though your property tax base does not produce that amount of income.

DePue: So when you say "tax at a certain level," you're talking specifically about the property tax?

Netsch: Yeah, about the property tax, right. In fact, the first version of the so-called Resource Equalizer Bill that went through actually had a rollback on the tax rate that could be imposed by a school district, and that particularly hit some of the suburbanites, because they were willing to tax themselves more. That lasted, I think, all of one legislative session, and then I remember the suburbanites said—Harris Fawell was someone else who was **very** active on this issue, and I think I remember accurately that Harris was one of those who, like a legislative session later, came back and said—We've got to get rid of the"—in effect—"the provision that prohibits a district from raising its property tax any more than a certain amount, because suburban districts wanted to do that.

But things were getting a little better, as I say, for a while. Then as the years went by, the impact of the resource equalizer and the disparity in the amount of money that was raised by the property tax for school districts around the state got worse and worse and worse. I think we're probably one of the worst in the country now. But that was something that was always obviously something I very much believed in and had on my agenda. I think I was probably not pushy enough in raising that issue, in part because it was quite clear that there was not going to be much support for it in certain respects—I mean, not so much the principle but what it did to both the taxing base and the amount of available revenue for certain areas of the state. For example, Senator Maitland was a very, very good, decent guy, a Republican senator from Bloomington, and he was also very interested in school funding, not from precisely the same perspective that I was, but from sort of an overall. One of the things that he wanted to do was to try to get more of the burden off of the property tax; he several times proposed using income base rather than property wealth as the means of determining how much money was going to be coming from the state to back up that school district.

DePue: The median income for a particular school district?

Netsch: Yeah, yeah. Well, yes. I guess it would be more or less the median income. I found that much too complicated. And most of the experts thought it would not really work terribly well, although there are a few states that do that, by the way, even now. He and I would talk about this back and forth and back and forth and wouldn't fully agree, although it was a friendly discussion in the sense that we were both looking for the same way out, if you will. But nothing much happened during all that period of time. As I say, it was getting worse and worse because less money was being put by the state into school aid. I think more than any other single thing, that's why I decided to run for governor.

DePue: Well, there were a couple other issues I wanted to talk about here in terms of revenue issues, and we certainly need to honor your need to get out of here in about ten, fifteen minutes. One that you already raised is the pension unfunded liability, and legislation to try to resolve that thorny problem.

Netsch: Yes. The base work was done by my terribly smart staff on the Economic and Fiscal Commission, which I either chaired or co-chaired for a whole bunch of years. There were some very smart people there; they helped to work out the formula. What we knew was what should have been fairly obvious even then, which was that, A,we already had a terribly unfunded pension liability. My recollection is that the figure I was using when I passed the legislation—it must have been in '89, I guess, that I finally passed the legislation—I think we had about a seventeen billion dollar unfunded pension liability then, and I'm talking now about the state pensions only.

DePue: At that time, that's a **staggering** number.

Netsch: It was a staggering number at the time. And I'd already said no to some people who wanted to apparently fund it with bonds. So we knew something had to be done. A couple of things we figured out was that part of what had happened was that the state, of course, had not been putting in its share for decades even then. It was sort of, you decided whatever was leftover, and that went into the pension funds.

The other thing we realized was, the demographics were working against us, or had already worked against us. Now, these figures are the ones that remain in my mind; I may be slightly off on it. For example, we could go back not too long before I was doing this legislatively and say that there were like twenty-one active employees for every retiree. By the time I proposed my legislation it was down to, I swear, four and a half to one. I think it must have been a little bit higher than that; my memory may be slightly foggy. But you can see what's happening. You had fewer people putting money into the system and more people taking it out; that was a combination of the fact that they were living longer and retiring earlier in many cases. One of the problems about public pensions is that they often have a **much** earlier

retirement period than someone in the private sector. So it was clearly just going to get worse and worse and worse.

DePue: Did this not include teachers, though? The teachers had their separate—

Netsch: Oh, it did. Well, the teachers' is one of the five state pension systems, all except Chicago teachers. Chicago teachers were pretty much on their own and still are. What happened was, every year the state would make a cash contribution to the Chicago teachers' fund. But the pension funds were the teacher's retirement system, which is everybody except Chicago, basically: the general assembly; the judges; the state employees; and the state universities. Those were the five state pension funds.

DePue: And pretty much they're all in the same boat at this time that you're talking about?

Netsch: Well, some worse than others. Interestingly enough, the general assembly has always been the worst funded of all, (laughter) but it's so much smaller than the others. Oh, what was our average then?

DePue: Would the general assembly include the House and Senate employees, the staff?

Netsch: UhI don't think so. I think they were under the state employees. We were still the worst funded, which always shocks everybody, but it's just not as big a deal because there aren't that many people involved. I think some of our funding percentages were down in the…whew…certainly the 50 percent level at that time. But anyway, my smart guys at Economic and Fiscal—with, I'm sure, help from some others too—worked out a formula whereby we could catch up on our unfunded liability. I think the original proposal that we put in was a thirty-year catch-up, and after a while it was going to cost some more—nothing like what it's costing these days, obviously—but we knew that there was a financial obligation involved in it. After a short while it got onto a level percentage of payroll thing, so then you can easily budget for it and take it into account, but we were going to have to do some making up in the meantime.

We had to make some adjustments to satisfy the executive administration. Bob Mandeville was the one, I think, that we probably most worked with, the budget director; I think Bob was one that understood that this was a crisis in the making. In fact, it was in a sense already a crisis and it was just going to get worse. I'm sure he must have been a factor in persuading Thompson to sign the bill. As I remember, one of the things we had to do, we went from a thirty-year catch-up to a forty-year catch-up, which gave them a little more time to spread it out, and I'm sure some other things. The other thing that's interesting in light of what some of the stuff that's being talked about today, is that we compared Illinois employees and their pension

retirement benefit with some other states, and we were not high at all at that time. I think we've moved up somewhat over the years for regular employees, but a lot of the stuff that's being talked about today even, just, I think, really exaggerates. The average pension of a state employee these days is about twenty-six thousand dollars. You know, you don't get rich on that.

DePue: So when you say "high, the state was not high in comparison to other states," you mean the pension payments or the pension outlays?

Netsch: No, our pension liability, our unfunded liability, was very high even then, but the amount that normal, mainstream state employees paid, we were not out of line at all. I mean, sure we'd be higher than some other states, but we were not as high as some states. And then the retirement benefit was not out of line at that time either. In fact, my recollection is that we thought it was a little below average at that time. I think that would not be true today, but at that time it was. In any event, we didn't make any changes in the benefit formula itself; what we were trying to do was to get the state to live up to its obligation to pay its share. The employees did pay their share because it was taken straight out of their paychecks every month.

The other major component of pension funding, of course, is the return on the investment, and it was still doing pretty good in those days. Clearly we should have lowered the estimate a **long time** ago, because we've been using 8.5 percent until I think just a couple of years ago; my understanding is, now we're just down to 8 percent, and (laughs) that's still higher than probably they're actually earning at the moment.

DePue: And the treasurer was obligated to maintain that fund and invest that money?

Netsch: Well, each of the systems has its own board of trustees and its own administration. I think the judges and the teachers are funded and managed together now, but I think the others are still independent. In any event, with a lot of back and forth and back and forth and everything, Thompson signed the bill. But we did not have a continuing appropriation in it. I can't remember whether we really talked seriously about that. I think I would have had some legal doubt about it at the time if we had. But in any event, we did not have the continuing appropriation in it, but we did have a **long-term funding mechanism in place, and guess who didn't fund it.**

DePue: (laughs) Well, we're going to get to that—give you an opportunity. But it's interesting, I think, that Thompson signs this legislation towards the end of his administration, but at the same time—and maybe I'm mischaracterizing this—but he's on somewhat of a spending spree himself, because he's got Build Illinois, and you've got some other initiatives like the White Sox stadium, the expansion of McCormick Place, some things that take a big expense of money. You've got to find the money. Did those generally end up being bond issues?

Netsch: Almost always bonded. I don't think any of that stuff was every paid out of operating. No, one of the things that's always difficult for a lot of people is it's almost as if there are two budgets. Frequently you see it said that the Illinois state budget is fifty-three billion dollars or fifty-four billion dollars, which it has been in recent years, but really the only part that—(laughs) I shouldn't say "the only part you worry about," we should always worry about the whole thing—but the part that really is at issue always is the operating budget, which is about twenty-four or twenty-five billion dollars. The things like Build Illinois, which was Thompson's big spending thing and even the Sports Authority and things of that sort, are all on the capital side of the budget. Now, you may or may not have to get some of the debt service out of your general operating fund; if it's a general fund project, you might have to do that. But often there are separate sources of funding for capital projects.

DePue: We've talked an awful lot about politics today and quite a bit about finance and budgetary issues. We still have a couple other substantive things to discuss the next time around, but we hope to get into your years as comptroller as well. We've already peeked into that a little bit today. So once again, a fascinating discussion. Any final comments before we close for today?

Netsch: No. When are we going to talk about what I thought we were supposed to talk about? (laughs)

DePue: For today or forever?

Netsch: Forever.

DePue: Yeah. Well, again, I think that's the next issue, the years as comptroller. Now we are going to be talking about the Edgar administration. Okay, thank you very much.

Netsch: You're welcome.

(end of interview #8 #9 continues)

Interview with Dawn Clark Netsch

ISL-A-L-2010-013.09

Interview # 9: March 16, 2011

Interviewer: Mark DePue

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DePue: Today is Wednesday, March 16, 2011. My name is Mark DePue, Director of Oral History with the Abraham Lincoln Presidential Library. I'm here in Chicago today at Northwestern University Law School with Senator Dawn Clark Netsch. Good afternoon, Senator.

Netsch: Good afternoon. It's the day before Saint Patrick's Day. You'll get out of town alive, (laughs) maybe.

DePue: It's a high holy day here in Chicago, isn't it?

Netsch: Yes, it will be, tomorrow—actually for the whole weekend, so it's still going on.

DePue: (laughs) May be a good thing to get out of town for.

Netsch: Yes.

DePue: Well, speaking of town, what were you doing the day of the great—

Netsch: Blizzard?

DePue: —blizzard of 2011 when Lakeshore Drive turned into a parking lot?

Netsch: Well, I was here at school. I had taught my class that day. That was Monday, and I had class Tuesday and Wednesday also scheduled. It was pretty clear that the weather report was legitimate (laughs) and that they were very serious about this. So I left school I would say about 3:30 in the afternoon. The snow hadn't really started in heavy amounts by then. There was some. But I will tell you, there's an open parking lot between the law school and where I go over

to get into the cab I take home that goes right out on the lake front. The wind was so strong that three of us kind of locked arms—one of the other staff persons here at the school and a young man who I think was one of our students—so that we could manage to get across without getting blown down. That was quite an experience. Believe it or not, I only had to wait about twenty minutes to get a cab to go home. I did not emerge again the rest of that day, nor the next day—let's see, how many days were we out?—and I think maybe the day after that also. So I was fine, but a lot of people were not.

DePue: Yeah, that was an historic day, and just seeing the news reporters go up and down Lakeshore drive, **walking** up the drive and just finding people abandoned in their cars for…

Netsch: Yeah, that was strange. Now, fortunately, I don't take Lakeshore Drive to get to my house; I go inland. So we did not really confront that particular problem, which was certainly unpleasant for a lot of people. But I was here for the great '67 blizzard, which was even more snow than this one. But my recollection is that the winds were not anything like they were this time. People were skiing up and down State Street (laughter) and I'm sure on Lakeshore Drive and a whole lot of other places. So it was quite an experience.

DePue: I remember living up here, the whole city would get mobilized any time there was any hint of snow.

Netsch: Yeah, right.

DePue: Let's jump back a little bit farther in history if we can. You and I were talking very briefly about the 1986 election. Do you want to say just a few words about your decision process in that year? That was an interesting year for Illinois politics again.

Netsch: Yes. I had almost forgotten about it (laughs) in time. Well, I think I had decided by that time that I would like to do something that had a little bit more impact than simply being a member of the Senate, particularly because in a sense I was still a minority member of the Senate. I was a Democrat, but I was a minority among the Democrats. We were part of the Crazy Eight and the reformers and the independent Democrats, and we were not always greatly beloved by all of our colleagues, to put it gently. So I had made a decision that I wanted to move to a different direction and decided to run for attorney general. I think I actually did have my announcement event, such as it was. Then at some point—I don't remember precisely when it happened—I do remember getting a call, it seemed to me like the middle of the night, that somehow the scene had changed. Adlai Stevenson was going to run for governor again. Of course, Adlai is a longtime, very, very close personal friend. DePue: And he'd run a very credible campaign in '82 and came fairly close to beating Thompson that year.

Netsch: Yes, and there are those who think he did, (laughter) a lot of us who still think he did. Neil Hartigan was going to run for governor. When Adlai decided to get back in it, I guess Neil decided to re-run for attorney general. Roland Burris had planned to run for attorney general, but when all of the musical chairs kept moving around, (laughs) I think he then changed his mind and decided to run again for reelection actually as comptroller. That left everything not much available in a sense. So I guess I ended up backing out. I did not want to run against the then-one statewide elected African-American official, which Roland Burris was at the time. I thought that was not my role in life, and I didn't want to do it, so there was sort of nothing there.

DePue: Do you remember anything about primary night in the state and what happened as far as the Democratic Party was concerned after that?

Netsch: Well, that was the LaRouchie[10] year, right. I was at Adlai's place. Why do I think it was one of the Ambassador hotels? That can't be right. Oh, it's possible. I don't remember exactly where it was. I think there were just a lot of, well, disbelief and maybe unwillingness to accept what was happening. I don't think we actually knew for sure what was happening until—I don't know whether it was that same night or how long it took us to find out that the other offices, the lieutenant governor's office, for example, had been taken over by a LaRouchie, and—

DePue: I think the secretary of state's office.

Netsch: —and the secretary of state's office, right. It was everyone sort of sitting around scratching head and saying, What do we do now? Ultimately, of course, and eventually—I can't remember exactly how long it took—Adlai Stevenson and others decided that he could not run joined (laughs) so to speak at the umbilical cord with a LaRouchie, (DePue laughs) because there were just too many things that were **totally** unacceptable about them. That led to the attempt to establish an independent candidacy and an independent party. Of course that's a tough thing to do anywhere, and certainly in a state like Illinois, and it did not work out.

DePue: It made Thompson's election campaign in '86 much, much easier than he had in 1982.

Netsch: Oh, yes, yeah.

DePue: Okay. The other thing I want to talk about—we had spent the last session dealing with your legislative career in the 1980s, and you were front and center in a lot of issues. One issue, though, that we did not talk about, was your involvement with gender issues, and especially with the gay and lesbian

[10] Lyndon LaRouche, American politician and perennial candidate for the Presidency, held extremely controversial political views characterized by his belief in a number of complex conspiracy theories. His followers were called LaRouchies.

community. Can you tell us how you got involved with championing their legislation?

Netsch: I don't know that I can pinpoint a particular thing. There are several things that I think clearly were factors. One is, I had friends who were gay, and so did Walter, who, you know, had so many connections in the world of art and architecture; we had friends in that part of our lives who were. When Jim Houlihan and I ran our first—yes, it was, I think, our first joint campaign—he was running for the House and I was running for the Senate—and our campaign manager, Glen Zabring, was gay. Now, I think, looking back, we didn't talk about it then, but we knew it, and I assume he knew it, and I think a lot of the people who were a close part of our campaign knew it. It just wasn't a big deal for us. So a lot of it had to do with just knowing people, friendships. I think probably another factor was that I have always been a pretty extreme civil libertarian. The idea of discarding people or putting them to one side or not treating them fairly or whatever because, in this case, of their sexual orientation was just not in my playbook. It just was not the right thing to do. I didn't really have that much trouble with it. I realize, I suppose, that it was risky in the sense that I certainly took a lot of heat for it, especially in Springfield.

But I know, still to this day, so many in the gay community—which of course is a whole different world now, which is marvelous, the way it's changed—and they'll say, "Thank you for being there from the very beginning for us." I said it just wasn't that big a deal for me at the time. It was just the way I felt about things. Sure, you feel some of the tension when either you're talking to constituents and they express their displeasure with you for taking that position. What was more disturbing was trying to find some help and mutual support in Springfield, because this was very early on, and those were the days when as I sometimes describe it, if anyone talked about a gay, it was, sort of an elbow in the ribs and that kind of thing.

DePue: Wasn't this also the time of the AIDS epidemic, the early—

Netsch: No, that came a little bit later, or the knowledge of it and the activism of it came a little bit later. No, I was there even before that. The one thing I do remember—and I swear this was—I think it was 1981—maybe 1983, but I think maybe even '81—there were several people in the House who were very good on this issue, too. They had actually gotten out of committee the nondiscrimination bill, which was, you know, simply to add sexual orientation to the list of things that were prohibited in terms of public discrimination.

DePue: So in housing and…

Netsch: Would be housing, employment, you know, mostly things of that sort. Education, obviously. Both some of the House people who were involved and then some of the activists in the community were convinced they were going

to be able to pass the bill out of the House, and so we started talking about Senate sponsorship. We all agreed that I should not be the sponsor if we could find **anyone** else. I mean, I was the obvious one and obviously willing to do it.

DePue: But why not you?

Netsch: Because I was sort of the Senate liberal, (laughs) in a sense, and we decided it would send a much better message if we could find someone who was not **obviously** supportive of something like that. I agreed with that, so I was gung-ho for yes, if we could get somebody else on board. I don't remember exactly how many people I talked to, but some that I thought might be amenable to the proposition of supporting, sponsoring the bill in the Senate if it got there, and at that time I could not find a single person who would do that. Sometimes when I'm with some of my friends in the community who go back that far and we're sitting and sort of reminiscing about how unbelievably far this has progressed in a very short period of time as such things go, we sort of scratch our heads about that. I mean, that was, as I say, 1981 or '83, and, this year we passed the civil union bill (laughter) in Illinois. I mean, nobody would ever have believed that. Although I must say, even the nondiscrimination bill took a long, long time. Because that was just—oh, I lose track of time—what was that?—four or six years ago at most—that we finally got around to passing that. Now, that's pretty disgraceful for a state that ought to be as, quote, "enlightened" as the state of Illinois, and that was a long, long, long struggle. I do remember also that I was comptroller when that bill finally passed, so it was sometime between '90 and '94. Those who were sort of organizing the campaign to get it passed had called and said they had a couple of House members they needed help with. I talked to those two House members specifically, and they both voted yes. Now, I can't say that I have the right to take full credit for that—I'm sure there were a lot of other things involved—but I felt very good about that. That was the year it did finally pass the House.

DePue: Tell us a little bit about your involvement in the gay pride parades. You've already hinted at the embrace the community has given you over the years.

Netsch: You know, it's very interesting. It's a community that really, number one, remembers and shows a lot of appreciation. When I go to events now, the Equality Illinois annual thing where all the politicians walk across the state and you get applauded, by now I don't think I get the biggest hand, but they always tell me I do. In fact, some of my fellow elected officials said, "I don't want to be up there when you're around." (laughter) Yet so many of the people in that room are actually of the next generation, and they sort of don't remember the days when there were only maybe a handful of us at most who were identified with and stood up for that issue. But somehow, they still remember to express appreciation to those who were there early on, which is very interesting. You don't get that from very many other groups of people, I think. So I've always felt very good about that.

DePue: Is that a voting bloc now that needs to be reckoned with?

Netsch: Oh, heavens yes. Yeah. And it is. Sure, the concentration is on the North Side of Chicago, perhaps, but I think what's happened is this issue has changed. Really, it is unbelievable how—I have to say—quickly that has moved, much more quickly than the women's issue, if you will, the gender issue in that respect, or, for that matter, the abortion issue, which actually is turning back the other way again right now. I mean, that's a relatively short period of time for something that was so ingrained in so many people, that homosexuality is against God's way; these people were raised with an entirely different and very negative attitude about it. It's how far we have come. Sure, there is a lot more room to move, I understand that, but, when you get an Illinois General Assembly passing a civil union bill, it is an incredible step forward.

DePue: How do you explain that change in attitude?

Netsch: A lot of it's generational, no question about that. And I think as more and more individuals came out—that is, disclosed the fact that they were gay or lesbian—and more and more people realized that they've always known some people who were gay and lesbian—in some cases they might have been within their own family or their neighborhood—I think that began to at least get people to stop and think about it a little bit. The other thing **clearly** is the generational thing. You talk to young people now, and they just don't understand what this big fuss is all about. You know, the president's "Don't Ask, Don't Tell,"[11] which became such a powerful issue for—again, just recently, as a matter of fact. Again, you talk to the younger people, and—I don't mean 100 percent of them—we never have 100 percent on any issue in this country—but so many of them will say, "What's this all about? I mean, what's the big deal?" So that **clearly** has made a huge, huge difference.

DePue: Okay. Well, what I want to do now is turn to 1989, or as we approach 1990, because now there's another political decision that you need to make. I want you to talk to us about your decision to decide to run for a constitutional office that year, for the 1990 campaign.

Netsch: This was 1990.

DePue: The way these things work, you've got to be thinking seriously about it by early or mid-1989 if you're going to have a legitimate chance to actually run.

Netsch: I suppose that's true. I don't even remember when I started thinking about it. Well, some of it is frustration with the fact that some people who are in elective office don't exert the leadership that I think they ought to (laughs) on a lot of—

[11] In the armed forces of the U.S. during a period, this meant that leaders were not to ask the individuals under their command about their sexual preferences, while the followers were not to volunteer the information. This was a stopgap measure to avoid directly addressing the homosexual issue.

DePue: Well, can we be specific at that timeframe who you might be referring to?

Netsch: Well, in retrospect, often, Jim Thompson, although in retrospect he was much more of a leader than some who came after him. But I assumed he wasn't going to be running again after that because he'd already had three terms in a sense.[12]

DePue: He would be ending fourteen years by the time he finished up in 1990.

Netsch: Yes. I don't remember when he finally said he wasn't going to run, but I think it was generally assumed at the time.

DePue: I think it was about August of 1989, somewhere around there.

Netsch: Okay. I wasn't that excited about the prospects on the other side, nor the prospects on my side, necessarily. There were a lot of things that I felt very strongly about, and always, by the way—(coughs) excuse me—about the fact that our state–local tax system (laughs) was in a sense screwed up, it was not the way it ought to be, and that things ought to be done about that. Your bully pulpit is somewhat more limited when you are a state legislator, and particularly when you're not—(coughs)

DePue: Do we need to take a break here?

Netsch: Yeah.

DePue: Okay.

(pause in recording)

DePue: Okay, a very quick break. Let's go ahead and try this again. You were talking about the bully pulpit.

Netsch: Yeah, that you're somewhat limited in the bully pulpit you have when you are a legislator, unless you are the president of the Senate or the Speaker of the House. It was quite clear (laughter) I was never going to be president of the Senate. I always thought I'd be a good one, but some of my colleagues didn't agree with that, apparently. The idea of being able to really take on some of the issues and perhaps have people listen a little bit more and do some educating—which I always think campaigns are about—was just simply more appealing. There are certainly times, as much as I, in many ways, loved being in the legislature, there were—and I always like to forget about them now—times of enormous frustration. SYou think, I can't take this any longer; I've

[12] While Thompson was in office, the Illinois legislature changed the voting schedule so the gubernatorial election would take place two years after the regular national elections rather than in the same years. He then served 3 ½ terms.

got to get out of here. (laughs) So you think about, How else could I be involved in the things that I care about?

DePue: Did it appeal to you to be on the executive side of things rather than the legislator where it's a much more deliberative process that you go through?

Netsch: Not necessarily. One of the things that I always loved and found challenging about the legislative side was that it did require you to bring people together more and to bring ideas together more and negotiate compromise at times. In some ways, it almost compelled you to listen more to what people were saying. One of my soapbox sermons has always been: People who are in public office or running to be in public office should just listen more to constituents and even to their fellow elected officers and try to find out what it is that really gets them to take a particular position. That's the only way you can really find out whether there is a resolution that is reasonably satisfactory to what appear to be different positions. And it also shows a little respect for the other side, I think. So that's, in a sense, the fascinating part of being a legislator, not only to be able to strongly put forth your own idea but then, with that idea or perhaps with some others like it, begin to talk to others who have different points of view and see if there isn't some way you can work out a resolution of what it is you're trying to resolve. So that's the part I like about the legislature. Now, of course, there's a lot of camaraderie involved, too, which is a very nice part of that.

I suppose the attractive part about being in the executive—although I don't remember that I really found this that appealing going into it—was that you don't have to be as accommodating to as many people (laughs) because you're the boss. Or you're the boss of something, anyway, and I suppose there's some advantage to that. The other part of being an executive officer, which I think I sort of had reservations about but realized how much more I probably should have had before I became an executive officer, was the administrative stuff. You spend a lot of your time on personnel issues, on whose office is going to be where or, you know, all kinds of—and of course on putting together your budget, which obviously is terribly important. Those are not necessarily the most appealing parts of being an executive officer.

DePue: Well, I believe it was July 27th in 1989 that you announced a run for attorney general. I believe that was in part because you were anticipating that Roland Burris, who was the sitting attorney general, would be running for governor.

Netsch: Yeah, that's when I was doing that. I intended to run for attorney general, yes. Well, this must be when the musical chairs took place, then.

DePue: Well, they did take place also in 1986. I mean, this is kind of a quadrennial event in some respects. But that was certainly the case in 1989. Nineteen ninety, obviously, is the election year, but I believe Burris again ran for attorney general that year.

Netsch: But I think that's the year that I actually had announced that I was going to run for attorney general.

DePue: Yes.

Netsch: And then whatever happened, it ended up that he was going to be running for reelection, I think—

DePue: Right.

Netsch: —as attorney general. That's when I decided that, no, I was not going to take on and run against the one African-American elected official in the state of Illinois. So I had my timing a little bit wrong there. DePue: Why the attorney general's position? What was more attractive about that than the office you ended up running for?

Netsch: Well, I suppose you could say it's a more prestigious office, but it also has lots more independence, I think, in terms of big issues. I mean, the attorney general is the legal officer of the state. You get involved in a huge range of issues as attorney general, and that means an opportunity—you know, I'm not talking about just going after the corruption stuff—but taking strong positions on something that the state ought to be active on. Well, I'll take one that I don't think occurred to me particularly at the time, but the whole tobacco settlement thing. Well, that came out of the offices of state attorneys general—not this state, but of other attorneys general from other states. There are a lot of initiatives that you can take in that role because you are the legal officer of the state. I'm a lawyer besides that, and terribly interested in state constitutional issues. (laughs)

DePue: Were you thinking at that time—again, 1989, 1990—that this could be a stepping stone to get into the governorship?

Netsch: Well, I don't know that I thought of it as a stepping stone. I never made any bones about the fact that I'd love to be governor of Illinois sometime. It didn't seem terribly likely, given my sort of unique position. I certainly identified as a liberal, which I never denied, and was female, which was a bit of a problem, (laughs) running especially for governor in those days. So I'm not sure that I thought of it as being a very realistic goal or vision, although clearly something that I wanted to do. I didn't think of it as a stepping stone, which just doesn't mean that I would not like for it to have been a stepping stone if it could.

DePue: So the attorney general position didn't look like a possibility, or you made a conscious decision not to pursue that. Why then the comptroller office?

Netsch: Because so much of my time and energy had been spent on fiscal issues. I'd been chairing the Revenue Committee, chairing or co-chairing the Economic and Fiscal Commission. Actually in the Constitutional Convention I was vice

chair of the Revenue and Finance Committee. One of the things I clearly believed and understood was, for better or worse, a very large part of government is about money, where the money comes from as well as where it is going to be spent. As I used to say to some of my friends—I remember specifically saying this to Ken Buzbee, who was part of my Crazy Eight group in the legislature and was chair of appropriations—I said, "You guys get to have all the fun. You spend the money." And I remember saying that also, by the way, at one point I think to [H. Woods] Woody Bowman, who was doing a lot of that appropriation work in the House. He was also a very good friend of mine, even though I ended up running against him. But that was sort of the fun part of it, in a sense. But I said, "The other part is, Where is the money going to come from?" Those are the much stickier, more difficult decisions, but absolutely essential. Not only that the sources be adequate to support the services that are necessary, but that they be fair. One of the things that I had felt for a long, long, long time was that we did not have the fairest revenue system in the state of Illinois—and still don't, by the way. (laughs)

DePue: Well, that's certainly going to be one of the issues both for this campaign and especially for the gubernatorial campaign that's coming up in '94, but this is probably a good time to explain your rationale. What was unfair about the revenue system in the state?

Netsch: Well, number one, it relied **much** too heavily on the property tax. The property tax should be a part of the equation, no question about that, but in this state it was heavily unbalanced. At that time—and I think it's now changed—but at that time, we raised more public money with the property tax than we did with the state income and sales tax combined, and that makes no sense at all.

DePue: Did you think this was primarily a fairness issue or how the various levels of government operated as well?

Netsch: No—well, it was a fairness issue for one thing. Sure, the property tax is almost 100 percent, about 98 percent, a local tax, although it didn't used to be that way many years ago. The income tax is totally a state source, and the sales tax is kind of a mixed source, although the state collects it all. But I've always thought that, in looking at the revenue structure of the state, you look at state and local together, because it all comes out of the same pockets. (laughs) It's just a question of in what form it comes out of. My problem was that we took much too much out of the property tax liability and did not balance it as well with the state income tax. I would, of course, have preferred to have had a mildly graduated state income tax. We fought for that as delegates—some of us did—in the Constitutional Convention but lost, so we ended up with a flat-rate state income tax. But there are ways in which you can build some progressivity into even a flat-rate tax, which became one of my major themes later on. You could inversely graduate the personal exemption so that the less income you have, the higher your personal

exemption; that would do what we should do, which is even to take some of the lowest-income people off of the tax rolls altogether. If that sounds radical, I would remind people that that was exactly what Ronald Reagan did (laughter) in 1986. My recollection is that they removed about six million taxpayers from the federal tax rules by just changing the structure of the federal income tax. So if Ronald Reagan can do it we could do it as well.

So a lot of it had to do with the fairness of where the major part of the burden falls, and, as I said, the property tax was taking much too much of that burden. Our state income tax was, and—until this most recent increase—remained all those years one of the lowest in the country; it was flat rate and had **then** built no progressivity into it. More and more we were relying on the sales tax, but we were relying on the sales tax primarily by increasing the rate and not broadening the base. Interesting, that is an issue which just recently has become another hot-button issue as we talk right now. But some of us were talking about it back some time ago. In fact, back in 1987, the governor had appointed a—I've forgotten what it was called—a sales tax study commission, a task force, chaired by Doug Whitley, and some very serious people on it. We really did a very serious job. In fact, the media couldn't have cared less about what we were doing, which was fortunate. We spent a lot of time mostly on the sales tax and what should be done with it. One of the things that we spent a lot of time on then was the fact that our sales tax base was so narrow in Illinois; how can you justify that when the whole tone of the economy has changed? We've become a service economy, much less a product economy, and yet the only thing we taxed was the transfer of tangible personal property. DePue: And food and medicines were excluded from that?

Netsch: Basically, no. They became excluded at some point, yes—not initially. That became a big battle in—oh, what year would that have been? Interestingly enough, as I recall, Rich Daley became the principal sponsor of the bill that was going to take the sales tax off of food and medicine.

DePue: Richard M. Daley.

Netsch: The mayor, yes. I mean, the current mayor, not "Da Mayor," not the preceding mayor, yes. This was happening while I was in the legislature. (pause) But I don't remember exactly what year that happened. Eighty, eight-one. What we were saying in that task force in 1987 was that—not everyone was quite gung-ho about this—but we raised the issue of broadening the sales tax base to services. We did some rough projections on how much revenue that would produce. One of the arguments that I think we made clear, although we didn't end up taking a position on it, was that we should be able not only to hold the rate of the sales tax, but very likely to reduce it if we would broaden the base. It was clear even then that other states were beginning to do that. I knew that because I was heavily involved at the National Conference of State Legislatures in the revenue stuff. So I knew what other states were doing, and

we were just way, way, way behind in broadening the base. So that was another component of trying to make the whole thing fairer.

This issue I guess you can't say was so much an Illinois issue, but it reminded me of it because of my work in the National Conference of State Legislatures. One of the things that most of us were **very** concerned about was the fact that—well, then, it was mostly mail-order sales did not pick up the sales tax. The Internet was really just in its earlier stages then. But we had all kind of estimates about how much money the states were losing because they could not tax the remote sales, which were primarily mail-order sales at the time. I was one of those who was **very** active in the National Conference of State Legislatures in trying to get that moved. We couldn't get Congress to do anything about it—and still have not gotten Congress to do anything about it, as a matter of fact. So some of the states have been taking it into their own hands a bit more. Illinois just passed an online bill which is very interesting. Anyway, we're getting a little bit off, perhaps, the…

DePue: Well, to get even further off the track we were on, I did want to ask you this question—this is a very peculiar question—but "controller"/"comptroller"—you clearly ended up on the "controller" side of that equation. Was that—

Netsch: You mean in pronunciation?

DePue: In pronunciation, yes.

Netsch: One of my favorite lines when I was running for the office, and then I continued it after I got in the office, said that, you know, "I'm comptroller, [pronounced controller] and nobody knows how to spell it, how to pronounce it, or what it does." (laughter) I said, "It's the most fascinating job in the state for that reason." Actually it is pronounced differently in different parts of the state—and I'm not kidding; this is actually true—most of my downstate friends pronounce it "comp-troller." In the Chicago area, it's "con-troller." Don't ask me to explain. (DePue laughs) Oh, I don't know how all that comes about.

DePue: Do you remember much about the primary campaign? You already mentioned that Woods Bowman was one of your opponents in it.

Netsch: Yeah, I know. That was painful in a sense, although we remained friends. In some ways I didn't like doing it to Woods, I mean, to be in the same campaign, but I realized that if I was going to make any move at all, that was going to have to be it. I did have what I considered to be a very extensive background in anything fiscal for the state of Illinois. I think Bruce DuMont was the only one who paid enough attention to once ask the candidates to come to a political forum or whatever, so it was not exactly a high-visibility race.

DePue: Well, the other candidates in the primary, as I understand, are William Sarto and Shawn Collins as well, so…

Netsch: One of them was one of the staff members in the comptroller's office, I think, he was one of the regional persons—Sarto. Shawn Collins was somebody we had known.

DePue: Okay. Well, where does a person get the money, now, to run for statewide office? This is a different kind of a race for you, at least in that respect.

Netsch: I don't think I ever did raise very much money. (laughs) But I don't think the others did either. It's tough enough to raise money for any office; for one that most people don't fully understand, it becomes even more difficult. We had fundraisers on a smaller scale. I can't remember that I really had any sort of major source contributors. I'm trying to remember whether I even… I've always considered myself very pro-labor, although I disagreed with them on a couple of issues that they were never very happy about, but I can't remember that I even got much labor money, because they would have no interest in that office. (laughs) The trouble is, nobody does.

DePue: Yeah. Well, the other challenge is putting together some kind of a team, because, again, this is a much different kind of a race than running a local race, and even then you still have to have a campaign team. Did that come very easily for you, to put together the team?

Netsch: Yeah. I had several people that I knew well and had worked with in a variety of ways. I remember Terry Stephen, Chris Meister—gosh, who else was involved? A whole bunch of other nice folks.

DePue: What was Walter's position on your running for statewide office?

Netsch: Well—

DePue: That normally means you're living in Springfield.

Netsch: You mean if you're elected?

DePue: Yes.

Netsch: Yes. Well, I was obviously… I'd had to spend much larger portions of time in Springfield, yeah. But he was accepting of that. He understood that this was something I liked. He was always very supportive of whatever I was running for. In fact, some of the campaign staff would say he was too involved. (laughter) He would get involved in telling them what to do all the time. I didn't even know a lot of that was happening, but I heard about it later (chuckles) from some of those who felt sorely pressed by it. (laughs)

DePue: The primary was on March twentieth of that year—this would be 1990 now—and you won by a 49% margin, which is pretty significant when you've got at least three other credible candidates.

Netsch: To be honest, I did not even remember that.

DePue: And then your—

Netsch: I'm not big on all of the political statistics.

DePue: And then Sue Suter is your opponent, and she was coming from being the director of the Department of Public Aid.

Netsch: Yes.

DePue: What do you remember about the general campaign?

Netsch: Not an awful lot. I continued to do, in a sense, what I'd been doing during the regular campaign, which was to try to get people to understand a little bit more about the state's finances. That was something I felt very strongly about, because I thought they were very misunderstood. I knew they were in much more serious shape than was generally thought, quite apart from what I consider the unbalance of where we raised our money. I mean, just that we were in a sense spending more than we were taking in and that there were problems that ought to be addressed in that respect. One of the things that the comptroller could do was to take that show on the road, in a sense, and try to help people to understand about it. So that was my idea (laughs) of a campaign.

DePue: Well, some of the things I'm going to mention here are going to certainly be issues once you become comptroller and have to face this budget deficit that once you got there, you find out was—

Netsch: Much worse than I had realized.

DePue: —a billion dollars plus, depending on who you talk to. The first one I want to ask you is deferral payment obligations. These are different practices, or maybe they're all part of the same nut, basically.

Netsch: Well, there are several forms probably that that takes. One is we had the lapse-period spending that had always been allowed. The fiscal year closes on June thirtieth, but at that time, you could continue to pay bills for the next three months—presumably only if they had been obligated before June thirtieth. That meant you had three months when you were using current cash to pay last year's bills. The amount of the lapse period spending had been increasing **enormously** over a period of time. Again, don't pin me down to exactly what it was, but my recollection is it was maybe running around 700 million dollars by then—certainly several hundred million dollars, I know. So that is a form

of deferred spending. Nobody was really factoring that in to the state's overall thing. The only thing they would look at is, What is the ending balance on June thirtieth? Well, that was whatever you wanted it to be.

DePue: Ending balance is what was in the bank that the state had?

Netsch: Yes, what was on the books, in the general funds, which is the only thing you really are spending most of your time on. That is the normal operating funds of the state, putting aside the capital funds and other things of that sort. So it's the general funds that you care about. The critical figure that everybody always paid attention to was the ending balance on June thirtieth. That could be anything. In fact, I remember one year, after I was comptroller, [Governor Jim] Edgar called and—as I remember it—and said, you know, he needed an ending balance of whatever the figure was because they were going to be going maybe into the bond market. That was critical, an important thing in terms of your interest rate and how you look to those who do the rating in the bond market. And I could say, "Okay." So you just hold back some bills for that lapse-period spending, and so you end up with whatever the ending balance needs to be.

DePue: So are you saying that June twenty-fifth—

Netsch: It's manipulated!

DePue: —you could pay these bills, but, no, maybe we'll just delay and not pay them until July or August, I think.

Netsch: Well, I mean, if they're ready to be paid you hope you don't have to wait until August, but you can wait till after June thirtieth so you show a good, healthy year-end balance. That had been going on for years and years. I didn't (laughs) make that up. It's something I didn't like, but it was sort of a game. One of the things that we spent a lot of time doing. I spent a lot of time after I got elected and had a transition team; one of the things that we tried to do was to get people to understand that whether you have a balanced budget has very little to do with that ending balance on June thirtieth; it has to do with a lot of other things. There's the budgetary balance, there's the year-end balance, there's the GAAP[13] balance, the accounting standards balance, in a sense.

DePue: When you say "GAAP balance," is that an acronym, or is that just…?

Netsch: That's an acronym. We tried to get people to understand the difference between them and really what I considered to be the—well, "fraud" is too strong a word—but the misconception that was abroad because of this focus on the June thirtieth year-end cash balance, if you will.

[13] Generally Accepted Accounting Practices

Then in addition to that, which is a form of deferral, if you will—could be a form of deferral—there were the Medicaid things, the so-called Section 25 payments, which were rolled over to the next fiscal year. Those were huge amounts of money. In many cases we were talking about a couple billion dollars for the obligation that had been there beforehand, because we reimburse on Medicaid. So these are services which had been delivered and were going to have to be paid for. But there's a long process in getting all the paperwork done and the payment actually made, so that had been a carryover that also had been going on a long time. It just became known as the Section 25 carryover or deferral, if you will, and that had gotten to be larger and larger and larger. That's one reason why if you do like a budgetary balance as opposed to the cash balance of the state of Illinois, (laughs) you would have been in debt or would have had—I won't use the word "in debt"; that's a different thing—but it would have been unbalanced—deficit spending is what I'm trying to say—even back in those days, and that was long before all of this recent stuff has happened. So a lot of things needed to be fixed up.

DePue: In other words, there is plenty of opportunity for creative accounting?

Netsch: Yeah, I suppose you could call it that. I mean, it was in the open, certainly the three months—what did I call that?

DePue: Deferral payments or obligations?

Netsch: Well, deferral payment, in effect. I tried several times to, if not eliminate, at least reduce that period of time. It was terribly tempting for a lot of the agencies maybe just to hold their paperwork, even though the obligation was there, so that they didn't mess up their spending for the fiscal year that was about to end. Later, the legislature did finally reduce the lapse-period spending to two months. I don't think it's been reduced below that since then.

DePue: One of the challenges—and these are all issues that need to be addressed in the campaign, but obviously they have a life of their own once you actually become the comptroller itself—but revenue forecasts and the practices for how you determine that. Is that something that the legislature does—

Netsch: Yes.

DePue: —or the budget office?

Netsch: And the governor, and the Bureau of the Budget. The comptroller does not do that. There had always been really two major sources. Of course, the governor always has to do a revenue estimate because we do have an executive budget. At the time the governor's budget goes in, he has to show how much money he thinks is going to be available as well as how he's proposing that it be spent. Then, in addition, what was then the Economic and Fiscal Commission, which is sort of the Illinois state equivalent of the U.S. Congressional Budget Office—bipartisan, bicameral, and at least, I'd like to say, from the time that I

was involved with it, and I believe onward—I don't think this has changed—played it very straight and was quite creditable with the members of the general assembly, and yet also did its budget revenue estimates and updated them, really every month, and that basically still happens. As far as I can tell, the name has changed—why, I have never understood, because to this day I can never quite remember what the new name is the Illinois Commission on Economic Forecasting and Accountability, I think it's called, or something… (laughs)

DePue: Quite a mouthful, isn't it?

Netsch: Yeah. I never understood why they changed the name, but anyway. But I think it is still highly respected. Even as we're sitting here at this moment, I think there's something of a dispute going on between the Economic and Fiscal Commission's revenue estimates—I still call it the Economic and Fiscal Commission—and the governor's revenue estimates. DePue: The House seems to be taking that up with a little bit more vigor this year than they have in the past year, so that's my impression.

Netsch: Yeah.

DePue: This is something we talked about quite a bit the last session, but part of this overall equation of the fiscal health or lack of health for the state is where you're at with pension payments as well. Did that factor into the election campaign?

Netsch: Which election campaign?

DePue: This would have been 1990 now.

Netsch: The comptroller's?

DePue: Yeah.

Netsch: Whew. I don't remember that it did into the campaign. Now, I had taken that issue up several years before. I felt **very** strongly about it. One of the things I think I was most proud of about my legislative career, even though it ended up not getting us anywhere, was we recognized that this was a terribly serious problem, the unfunded pension liability, and my smart staff on Economic and Fiscal Commission, which I then chaired or co-chaired, came up with a formula. We started out with a formula that would have brought us up to—you never have to go to 100 percent full funding—up to about 80 or 90 percent funding in 30 years. It was going to cost more, but it was not absolutely out of reach. Then you reach a point after a few years where it's a level percentage of payroll, then you can just build it into your budget regularly, which is, of course, what you ought to do anyway.

So they finally worked out this nice formula; I spent a lot of time negotiating with the chief executive's office, and we made some compromises. Thompson, as I recall, insisted that it be forty years to catch up rather than the 30 years; that was one of the compromises we made, and I'm sure there were several others involved. We did eventually pass the bill, and he signed it. I'm sure that his Bureau of the Budget person was the one who probably helped him understand how serious this problem was, even then. I swear I even remember the number of the bill, Senate Bill 22. I could be wrong about that. My recollection is, what we came to realize was not only had the state not been contributing the share that it should have been contributing to the five state pension funds all this time, but the demographics had changed. Again, my memory may be slightly off on the exact figures, but at one time, as I recall, we had tracked it back and found that there were like twenty-one active employees for every retiree. That means twenty-one people are still paying into the system for every one who was taking out of the retirement system. By the time we did this piece of legislation, which was—was it '87 or '89? It was probably '89—that figure had dropped to, I want to say four and a half to one or something. Again, my memory may be slightly off. But the point is a **very dramatic** change. That's another reason why the system was so unfunded. Again, my recollection is that the five state pension systems were underfunded to the tune of about seventeen billion dollars at the time I passed that legislation in '87, which was, we thought, pretty horrible. But this formula would have caught us up over a period of about—well, we allowed up to forty years.

Now, a couple of things about that. One is, as I said, we could have managed it at that time. Obviously, now it's almost unmanageable. The unfunded liability has gotten to be so enormous, and that's because for most of that time we didn't do anything about it. The one thing we did not have in that piece of legislation was a so-called continuing appropriation provision. I can't remember how much attention we may have paid to that; I would have thought at the time that it might not be impossible to do. Of course, even if you include it, you could change it; the legislature could change it, just to eliminate the continuing appropriation part of it later on, and we did certainly understand that. So it was dependent on the governor including this amount of money in the budget, and then ultimately the legislature appropriating that amount of money. One thing I have always been very angry about and have never forgiven Jim Edgar for, was he never included it in the budget. You know, we're always broke in this state. I mean, (laughs) we never have enough money to do everything. You know, you put money in something else and you don't put it in something that comes home to bite you after a while, which was the pension liability. So we lost another, what? fifteen years or something, of catching up. Then in 1995, when the legislature reenacted a catch-up, they did include a continuing appropriation point. By that time, the unfunded liability had shot up to—and I don't remember, again, the exact figure—my recollection is it was either 42 or 45 billion dollars, and now, depending on whose figure you use, it's maybe about 80 billion dollars.

One other thing I should say about that. We did some work in tracking where Illinois stood with respect to both compensation levels of ordinary state workers and pension benefits. Again, my recollection is that we were certainly not above average. We were a little bit surprised—given the fact that this is a pretty rich state—that we were as low as we were in terms of average compensation and average retirement benefits. That's interesting because we are now at a point in 2010 and 2011 where a lot of people are blaming the state's entire fiscal dilemma on overpaying public employees, both their salaries and their retirement benefits, and it certainly was not true at that time.

DePue: But that is very much the public debate the past couple months in terms of—

Netsch: Oh, absolutely.

DePue: —the pension system and the grossly underfunded pension systems across the country.

Well, let's get back to the election. What we're finding here is it's very difficult to talk about these themes in the election campaign without getting into what happens after you were in office, but do you remember anything significant about the campaign itself?

Netsch: The comptroller's campaign?

DePue: Yes. I mean, in part what you're trying to do is—you've already said it. The governor's race is going to get a lot of attention, the attorney general's race and the secretary of state's race, is going to get a considerable amount of attention, and then you get to the other offices, the treasurer and the comptroller office, and not nearly as much for those positions.

Netsch: No. (laughs)

DePue: So how do you raise yourself to get enough visibility to run a credible campaign against Sue Suter?

Netsch: Well, you go around appearing wherever anyone will allow you to appear and keep delivering the message, which I must admit is not always the sexiest message to be talking about, when you're talking about the state's finances and the problems with our revenue structure and the fact that we are not managing our finances the way we ought to and things of that sort. You just simply do the best you can. I knew that Sue was a very sympathetic figure, and I assumed that that was going to be a problem for me, but there wasn't anything to do about it except continue to… At least I had a record. Of course, some of it was probably, in the minds of many people, a negative record, because I obviously had a pretty liberal record in the general assembly.

But I also had things I could talk about. I'd been involved as a chief sponsor of the sales tax reform bill, the pension, and I'm sure I must have talked about that some.

Oh, and one of the other things that was one of our great gifts came out of Economic and Fiscal Commission also: that was, when Thompson was governor we were using income tax refunds in effect to pay for other services. People would be owed their refunds and they wouldn't get them for months and months and months and months, because, you know, there's always a cash flow problem and something of a deficit problem. So it was just that that cash was being used for other purposes. All of us heard about that from the constituents. So we at the Economic and Fiscal Commission decided, Okay, we'll put an end to that. So we passed the legislation that, in effect, whenever the state income tax comes in, a predetermined percentage of it is, if you will, skimmed off and put into a special account which is for refunds. The legislation provided that the amount that would be skimmed off every year would have to be recomputed because it might change from time to time. That money could not be used for anything else, so the money to pay refunds would be there solidly. We thought that was a brilliant idea, and it was.

The chief sponsor in the House was a Republican. We got this legislation passed, and we always felt **very** good about it. We sort of patted ourselves on the back about it because we thought it was a very good idea, and it was. I think it fundamentally has worked all the years since. Now, what I came to realize was that there was a period of years—I don't really know how many years because I had no particular reason to keep tabs on it all the time—when they were not re-computing the percentage that needed to be set aside, and so it had become way out of balance. So I think what happened was, I began to hear people weren't getting their income tax refunds on time. I thought, How is that possible? We fixed that years ago. So I inquired and discovered that that was what had happened. I think that has been corrected since then.

DePue: A couple questions about the campaigning itself. Did you find campaigning for a statewide office to be invigorating or a grind or a bit of both?

Netsch: A bit of both. (laughs) Anyone who tells you that it's all fun and games, I'm a little bit distrustful of. It is very hard. Obviously the higher the office, the more difficult it becomes. It's not quite as difficult to campaign statewide for the office of comptroller as it was later for the office of governor. It still is a very tough thing because you're moving all the time; you're making speeches constantly; in between every speech you're trying to raise money, which is the worst part of it all; and maybe, hopefully talking to some of the press along the way, having interviews with local media or whatever. It's a tough thing, it really is. The other side of it is that especially once you get out of the Chicago area—and I never made any bones about saying this—campaigning downstate is **much** more fun than campaigning up here.

DePue: Well, how does a self-described lakefront liberal do in downstate Illinois?

Netsch: Well, it's interesting. I mean, obviously there are a lot of people who sort of wonder what I am. They may not have cared that much when I was running for comptroller. I'm different, and I didn't try to be anything other than what I am. But even so, it's amazing how gracious people are to you and how warmly they welcome you; it's almost as if they are saying, You know, most of these big-time statewide candidates don't even bother with us. Thank you very much for being here. It's just an entirely different atmosphere, it really is. And I think—I hope, anyway—that you sort of warm up to that. I don't consider myself an un-warm person anyway—I don't think I am. But you sort of develop this nice rapport with people that you're meeting out in the campaign trail then, and it's just—it's fun and different. That's the plus part of campaigning statewide.

Then you also do get a chance to get better attuned to a different perspective on issues, and I think it's particularly important for people who, in a sense, come from my political background—number one, Chicago, and second, I do tend to be—not tend to be, I am—a liberal (laughs) and obviously have strong views of my own. But because I feel so strongly also about this business of listening to other people to see what's motivating them, you have a chance to get more of that when you're out on the campaign trail. Again, I think a little bit more when you're out of the Chicago area. I don't know, somehow there always seems to be much more rush, rush, tension, tension if you're campaigning up here. I don't know whether other people feel that way or not.

DePue: You have any anecdotes that would illustrate the differences between…?

Netsch: I might in a little bit, but I don't think of any right at the moment. I'm not good on anecdotes anyway.

DePue: Okay. You had a debate with Sue Suter on October seventh; I believe one of the issues that was addressed at that time, that you probably raised, was the backlog of child support cases coming from the Department of Public Aid. Illinois had something of a reputation at that time about overworked caseworkers and the backlog of cases that were there. Do you remember anything about that?

Netsch: I don't specifically remember that that was something that came up there. There was in fact—you're talking, I think, about child support.

DePue: Yeah.

Netsch: Yeah. That was, I know, a major issue. A lot of women and their kids were being hurt because they either couldn't even get in the system and stay in the system, or the paperwork was not being done so that they could get paid on time. Even more than that, there was virtually no enforcement, as I recall, of

the deadbeat—in this case mostly fathers—who were not paying the child support, and there wasn't much of a system in place for it. I think there was a fair amount of work that got done in the years following on that. I don't have any sense that we are in that sort of a problem now. I honestly at the moment do not remember that I raised it as a campaign issue, but obviously I did, I guess.

DePue: Election night. You end up winning the election. What would you credit your victory to that year?

Netsch: Let's see, this was 1990. (laughs, pauses) More people voted for me than voted for her. (laughter) I can't think of anything else. I suppose—and I'm really speculating. I don't spend a lot of time analyzing this kind of stuff. I'm sorry, I know I'm supposed to, but I don't. I probably had a bigger statewide recognition and visibility than Sue did, in part because I had been a fairly prominent legislator, although you were never as prominent as you'd like to think you are. And, let's see, who else won that year?

DePue: Well, George Ryan was secretary of state, and Burris would have been the attorney general again, and yourself, Governor Edgar, of course.

Netsch: Yeah. So it was a mixed bag in terms of—it wasn't a sweep one way or the other. So I guess it was that I just had better recognition. I certainly had an awful lot, I know—not unanimous—but I had an awful lot of newspapers supporting me, I think.

DePue: Are you one of those politicians who prefers to govern more than prefers to run for office?

Netsch: O-ho-ho, yes. Yeah, (laughter) very much so. Two things about running: One, you can't be in office unless you get your name on the ballot, which is an old lesson. The other thing about campaigns is that they are an opportunity for educating the public about some issues **if** the candidates will use that opportunity. That, of course, is something that I do feel rather strongly about; I'm sure that's why many of my campaign speeches were probably very dull to most people. But it seems to me that's really what it should be about. The more we've gotten away from that in recent years, even more since I have run for office, with all the, aah, you know, thirty-second or fifteen-second or whatever they are commercials and sound bites and things of that sort. It's really too bad, because once in a while you'll find a candidate or maybe even a campaign that still has some sort of educational value trying to say, Well, these are the problems we have, and here are some of the possible solutions, and here's what I'd like to do. But it seems to me less and less of that as time goes by, and that is very sad.

DePue: Okay, let's start your term as comptroller. Give us a quick lesson in terms of exactly what the role of the comptroller is when you also have the governor's

budget office, you've got the legislature, and you've got a treasurer. And the governor, the treasurer, and the comptroller are all constitutional officers, so how does that work out?

Netsch: Well, the governor is the boss on everything. We do have an executive budget, so the governor is the principal person in deciding overall the direction that the state's going to take in terms of both revenue-raising and spending, primarily spending. I don't think anybody totally quarrels with that. The legislature, of course, passes the appropriations, so it is a critical part of that process. Usually there is negotiation that goes on back and forth between the governor and the legislature. But I think you still have to say that with an executive budget, it's the governor who sets the tone of how things are going to be, even though a lot of the details—and the devil is in the details, frequently—gets re-reviewed, if you will, by the legislature before it finally comes to an end. In recent years, one of the things that bothers everyone a great deal is that the final spending plan, tends to get done by the Four Tops and the governor, or maybe even the two tops and the governor. (laughs)

DePue: The Four Tops being the president of the Senate, the Senate minority leader, the Speaker of the House, and the House minority leader.

Netsch: Yes, right, the four legislative leaders and the governor, and a lot of that is sat down and negotiated. And people have been very critical of that. The treasurer's primary role really is to invest the money. There are a few other functions that the treasurer performs, but that is the primary function for the treasurer.

DePue: Not to collect the money.

Netsch: No.

DePue: That's the Department of Revenue.

Netsch: Yeah, I mean, there are individual agencies which collect money. Sure, some of it comes in through the treasurer's office, but not in terms of enforcement and that sort of thing. Basically I think you have to define it as primarily the investment function, which is one reason why, during the Constitutional Convention we basically tried to—well, we tried to eliminate a lot of offices—but that was one that we thought we could easily eliminate. At one point during the convention, we did have that office eliminated on the grounds that it was not a major policy office; it was an administrative office, and that it did not need to be separately elected. That decision got turned around before the convention was over.

DePue: Would that be something then, as you envisioned during the Constitutional Convention, that should be a role that is absorbed under the comptroller position?

Netsch: No, I think under the governor. I personally think under the governor, because I think how you invest the money is a major part of the executive responsibility, and the governor is the chief executive. You could make an argument that there ought to be a chief fiscal officer that would combine the functions of the comptroller and the investment function; that's a logical approach also. I wouldn't object to that, although my personal feeling was that the investment function ought to be under the governor.

The comptroller is the one who literally pays the bills. In fact, I used to go around sometimes joking about the fact that, Can't you see my green eyeshade? (DePue laughs) That means keeping the accounts as well as literally paying the bills. You have to make sure there's an appropriation there, that there is still funding available in that appropriation, and up to a point, that the request for payment is appropriate.

The primary responsibility for determining whether it is an appropriate payment is the agency which certifies it to the comptroller for a payment. That's the way it ought to be, really, because the comptroller can't know every detail of every part of state government. But there have been occasions where the comptroller has held up payment of something and said, This doesn't look to be quite right, for whatever reason. I can remember doing it a couple of times myself. So there is a sort of an oversight, not quite as complete probably as everyone believes, but something of an oversight in the comptroller's office on the appropriateness of the expenditures. There certainly is not just oversight but control, in terms of whether a request for funding has an appropriation there with money in it that would make possible the payment.

Of course there was this other cemetery auditing function that got to be such an issue between Dan Hynes and Pat Quinn. I will have to tell you, the minute I walked in there I said, "This has got no business in the comptroller's office," and I started making noises about moving it out of the comptroller's office. I didn't push that as hard as I should have, because all of the people in the funeral business and the cemetery business, who are always locking horns with one another anyway—they're always in big battles, it seemed to me—but the one thing that they seemed to agree on was, No, we want it to stay in the comptroller's office. It was actually a very limited responsibility. It was for auditing the accounts that are kept; huge numbers of cemeteries were not even subject to that. I mean, the municipally owned ones, I think the religiously owned ones, were not even subject to the comptroller's accounting oversight. But there are funds that are kept there, pre-care funds and all sorts of things like that, and cemetery care funds, and those are what the comptroller was basically responsible for auditing. The problem was there was no responsibility, not even authority, really, to oversee the physical condition of the cemeteries; that of course got to be this huge, huge issue with the cemetery on the South Side in the recent campaign.

DePue: Yeah, I think just last year or so.

Netsch: Yeah. And they made some changes in that. I still think it would make more sense just to get any responsibility out of the comptroller's office—well, they did get some of it out, I think—and into an agency that has more regulatory authority and more regulatory experience, which did not exist in the comptroller's office. So that was sort of a side-light. But basically it is to oversee the spending pattern of the state.

DePue: Why does that need to be a separate constitutional officer?

Netsch: It's doesn't have to be, and it isn't in a few states. I think for two reasons. One is, it was the auditor of public accounts, which was sort of the predecessor of the comptroller's office, that Orville Hodge[14] was involved in and which became a huge scandal back in the—what was it?—1950s, I guess. The feeling was that there needed to be some spreading out of all of this. Second, you can make an argument that there out to be maybe one fiscal agency that has some oversight on the state's collecting and spending of funds.

DePue: Someone who could challenge the governor if the governor was getting out of hand?

Netsch: Well, at least if there were things that someone was trying to put through for payment that were clearly out of line. It can be an oversight function; it's a somewhat restricted one. I remember—although I was told once that my version may have been not quite accurate—but I remember once hearing about—and this is when Michael Bakalis was comptroller—that in going through the bills for payment, they found that—I think it was a psychiatrist, maybe a psychologist—had been billing the Department of Public Health, or it might have been then the Department of Public Welfare—for more hours than there were in a week, and something looked a little bit fishy about it. They tried to hold up the payment. I think it finally got resolved before it ended up being litigated. That would be the sort of thing that the comptroller can do. Most of them didn't even get to me; they got to my senior staff. There would be things that didn't look quite right that we could go back and challenge the agency on, and say, , Do you really want to certify this for payment? And then they had a chance to look at it again and see whether it was appropriate or not. So there are lots of opportunities like that.

One of the things that always fascinated me—we used to sit around talking about this sometimes—is whether we could just absolutely flat-out refuse to pay a bill that had been legitimately certified by one of the executive agencies. I don't know that we ever came to a resolution to that question.

DePue: What would be the rationale for refusing to pay it?

[14] Hodge was a former State Auditor who stole $1.5million in state funds in the 1950's, creating a huge scandal.

Netsch: Oh, that there was something inappropriate about it. I tried once to—well, I couldn't refuse to pay it, but I held off as long as possible—some of the payments to move Sears [corporate offices] to Hoffman Estates.[15] I mean, the state threw a lot of money at that, which obviously I—

DePue: Trying to keep Sears in the state.

Netsch: Well, yeah, but just to move them out to Hoffman Estates. Gee whiz, I mean, Sears was then a very robust, profitable company, and it was only moving a short ways away. (laughs) There were all kinds of subsidies and things involved in that. While I was comptroller, the state was in not as serious condition as it is right now, but we were broke even then. As I have said before, most the time we couldn't pay a lot of the bills on time, and that was terrible. One that I held up as long as I possibly could was the last payment to Sears in their ill-gotten subsidy from the state of Illinois to move to Hoffman Estates. I debated whether I would try to just refuse to pay it altogether, but to be honest, I don't think I had the authority to do that.

DePue: Positions like treasurer and comptroller, I'm assuming that you inherit quite a bit of your staff to begin with—

Netsch: Oh, yeah, yeah.

DePue: —and then you carefully select and appoint a handful of people.

Netsch: Yes, right.

DePue: Anything you would want to talk about in terms of putting together that staff and getting your personal philosophy into the staff, communicating that?

Netsch: They had people obviously I brought in, and I would have to say the critical ones were from the [Illinois] Economic and Fiscal Commission. I stole them from IEFC because I knew these people, I knew how basically unpolitical they were and how smart they were about financial things. I picked up some other people from other places. A **huge** number of the staff I discovered had been there. They knew their jobs. They may have gotten there on political grounds in the first place, but if so, it didn't seem to make that much difference after a while. I think they really wanted to do a good job for you. I remember going to talk to them in our several offices right after I took office with a couple of messages, one of which was, "Don't support me , politically financially. Number one, I don't believe in that, and so just forget about it. If you really decide you like me and want to help me, all you have to do is do a good job, because if you do a good job, I'll get all the credit, and if you don't do a good job, then I'll get the blame. It's very easy. Just do your job, do it well, and you have made my life." (laughter) My sense was that the people

[15] From downtown Chicago to a suburb.

who had been there, whom I had not hired myself, were all very good. I was very pleased with the people.

DePue: You were coming into office just after the Rutan decision had come down, which made a change to the way the old patronage system in Illinois was working. It wasn't going to be the old ways of the patronage system before. There was going to be a lot less people that you could personally select at that point.

Netsch: That's what I always understood. I mean, it wasn't a huge issue in my office, but I will have to tell you—and maybe it's because the chief counsel that litigated the Rutan case, Mary Lee Leahy, was a very good friend of mine and kept track of all this and ended up having lawsuits on behalf of people who had not been treated correctly under the Rutan decision for a long—in fact, I think probably even to this day—a long time afterwards. I would hear all over the place that, sure, there's the Rutan decision, but the executive branch is loaded with people who got there quite apart from the Rutan decision. That was one of the major criticisms of Jim Thompson's administration. I think I continued to hear it when Jim Edgar became governor, because Madame Cellini was his patronage person.

DePue: Janis Cellini.

Netsch: Janis Cellini, yeah.

DePue: Let's get into the fiscal health or lack thereof of Illinois when you became the comptroller and Edgar became governor. Here's my question: It seems to have been something of a surprise to everybody that Illinois was in as bad fiscal shape as it was.

Netsch: Yes, yes. I remember just shortly after I was elected, and I think even before I was formally sworn in, going into Tom Dotagee's office; Tom was the sort of enforcer for Burris, I mean, the one who really ran the office and knew all of the finances and everything. Tom said, "Sit down. I have two pieces of information for you. One is the state is broke, and secondly, our computer system is about circa 1970." (laughs) That's a nice way to be welcomed to your new office. We—when I say "we," I mean we in the Economic and Fiscal Commission and we who were some of the legislators who cared about finances, knew things were not good. They were worse than we had fully appreciated, I think. Yes.

Remember, there was another sort of recession going on at that time also, which certainly wasn't making things any easier. So revenue forecasts were not living up to their forecast and all sorts of other things were happening. As time went along we got into the problem of simply not being able to pay the bills on time. That didn't take terribly long for that moment to be realized, when I began to fully appreciate the fact that we were beginning

to hurt people by not paying bills on time. We would even pick up some anecdotal evidence of a pharmacy being put out of business, because Medicaid was the one that was taking the biggest hit of non-payment on time at that stage. So it was very painful. I consider myself—nobody would believe this—but I consider myself—well, I sometimes say a bohemian, and I mean by that, you pay for everything as you go along; you don't put things on a credit card. I feel that way as a public official. I mean, sure, capital projects, obviously, you bond and pay for over a long period of time, but I don't believe in operations being funded with borrowed money. But I realized what had happened, and so at some point—I don't remember exactly when—you know, as we were struggling with this, I said, "The state's got to borrow some money so we can catch up on our bills."

DePue: And the number that's being thrown around by that time is one billion dollars in the hole?

Netsch: (long pause) Probably so, yeah. Well, now, wait a minute. In terms of the ordinary sort of run-of-the-mine bills that had been cleared for payment, it didn't get up to one billion most of the time. I think we did a couple of times. That might also have included the three-month delay, and some of the Section 25 may have been added to that. I don't remember that the actual cash-on-the- line deficit or shortfall was that large at that moment in time, although, as I said, there were a few times later during this period when it got to be that high.

DePue: Maybe we need to very quickly address the budget cycle. Because you come into office in January, you're basically right smack dab in the middle of a fiscal year. Immediately then the governor's office—I'm sure in negotiation with the legislature, and I don't know how much of a role the comptroller played—you start trying to figure out what the budget is going to be for fiscal year 1992, which starts in July 1, 1991?

Netsch: Oh, yeah. Well, the governor's office has been working on the budget long before that. I think they start—oh, it probably varied somewhat, but I would say certainly as early as November of the preceding year, or even before that. I think they started getting figures in as early as September from their agencies. Then there was always a lot of going over them and making allocations and all. But that's to put together the governor's executive budget. The legislature, I would have to say, probably was not that far in advance (laughter) at that time in terms of timing. But what the comptroller's office did was just to keep everybody up to date on how much was left for expenditure out of the various appropriated accounts, which is sort of a current review, if you will.

DePue: So part of the problem is that the forecast that had been made a year before for that particular fiscal year was falling well short because the country's in a recession by that time.

Netsch: Yeah, yeah, forecast. Now, one of the interesting things—and I've sometimes pointed this out to people—Dan Hynes and I have had a lot of talks about this over a period of time until he went out of the comptroller's office—is that what we were experiencing then was, the revenues were not meeting the projections, the forecasts. My recollection is at no time during that four years did the revenues ever drop—the major sources of revenue, I mean, the income tax, sales tax, *et cetera*—drop below what they had been the year before. What has happened in this most recent deep, deep, deep recession is that it wasn't even a matter of revenues keeping up with forecasts; revenues were actually running below what they had been the prior years. We used to be able to count on an average growth in our major sources of revenue of—it might vary over a period of time—but like 3 or 4 percent for sure, and sometimes as high as 5 percent. I mean, there was growth. Even in recession times, there was growth. The recession that we're in right now, there has been no growth. I mean, we're beginning to get a little bit back now. So let's say you're projecting—we'll make up a figure—500 billion dollars for the income tax. Instead of getting your 500 billion—that's a little high, probably; let's make it ten billion. (DePue laughs) Instead of getting your ten billion, in these last couple of years it could drop to nine billion or eight billion. I mean, you're actually getting less cash in. Despite that, you know, you always have growth in some of your expenditure levels. So that's one reason why we've gotten so hideously unbalanced in these last couple of years.

DePue: Well, especially when you've got a recession, that means unemployment, that means you've got some public aid revenues that are increasing. It certainly means you've got a lot more Medicaid expenses.

Netsch: A lot more Medicaid, right.

DePue: Correct me if I'm wrong, but wasn't there some federal legislation shortly before 1990 that would mean that Medicaid expenses would only be growing because there's more coverage that's being required?

Netsch: Yeah. The states have a little bit of choice. They're allowed to opt out of some things. So not every state provides exactly the same level of Medicaid reimbursement. But there are a lot of aspects of it that are mandated.

DePue: Okay. An impolite question: Why didn't the Thompson administration, why didn't the Edgar administration going in, know that they had that serious a problem?

Netsch: Oh, I assume somebody knew. (laughter)

DePue: They were able to tell you pretty quickly, weren't they?

Netsch: Yeah. Dotagee told me before I had even taken office, "We're broke." Well, you know, I'm sorry, there was a bit of politics involved in all of that. This has been pointed out about Jim Thompson by many others, so I'm not making

this up myself, but there were a couple of times when he, when campaigning, led everybody to believe that the state was doing very well and then right after being reelected said, Whoops, we need some more money, and asked for tax increase. And that happened a couple of times under the Thompson administration. Edgar did acknowledge that a temporary increase in the income tax needed to be made permanent. He did take that position, I think after he was elected.

DePue: Well, that was the main issue during the 1990 election. Hartigan insisted that there needed to be a 2 percent cut in state expenditures, and Edgar was saying, No, we need to retain this income tax surcharge.

Netsch: The temporary surcharge it was called, yes. Yeah.

DePue: Since we're talking about the new governor, talk about your relationship with his administration, especially the budget office.

Netsch: Well, the personal relationship started off on a nice—and I don't mean to say that it totally broke down, but I remember when we were there all to be sworn in, and I've forgotten exactly how it came up—but he and I were talking. I said, "I am a troublemaker, but not (DePue laughs) a troublemaker when it comes to governing," and I said I hoped we could work together and blah-blah. And (laughs) I remember Jim saying, "I think probably you and I will get along better than I will with some of my own Republican friends," (laughs) which was very amusing.

DePue: I assume he was talking about his friends in the legislature?

Netsch: Yes, and I think a couple of other places too, probably. But you asked specifically about the Bureau of the Budget. Well, I suppose it was kind of a mixed thing. Obviously we had to work with them terribly closely because we are their most important component, really, in terms of spending patterns and is there enough cash left to do this, or how's the appropriation authority going on this particular—all that sort of thing. There has to be a very, very close day-to-day working relationship. Remember, I had some very smart and not always terribly patient guys who were, you know, my mainstay at the top level in the comptr—

DePue: People you had inherited.

Netsch: No, no, these are my own people that I brought in, mostly from Economic and Fiscal Commission. They were not always as patient as they might have been with others who didn't fully understand the state's finances as they did. They were great, but there probably was a little impatience. I know some of them felt that the governor's budget office, and Joan Walters in particular, never quite understood the difference between the state's overall spending and its general funds spending and that they were very different things and they required a very different approach. (laughs) I can remember, often they would

get so frustrated when they thought that things were simply not being understood correctly. There were other tensions obviously that came up.

I remember early on a couple things. Well, I guess it must have been the first budget that Edgar had to basically be responsible for, and by then they knew we were in some serious financial difficulty. I remember, I think it was Joan came to the office one day or something and said, "Well, we're telling everybody they're going to have to cut their budget"—I think she said—5 percent. I said, "We've already cut ours eleven." (laughs) We understood. We knew what was going on. We were **very** good and very tough in holding the line, in ways that we paid a price for later, which was very sad, mostly in terms of the technology and the equipment. I finally in, I guess it turned out to be my last budget as comptroller, we finally had put together a package—my smart guys did it, because I wasn't that smart on computers and networking and all this kind of stuff—for not doing it all at once, but for building up our capacity to transfer the whole payments business into a technological system. In fact, I remember once, about halfway through my term, we didn't have enough technological advancement to be able to get the public aid payments and a whole bunch of bills out on time, so we borrowed the computer system from the Department of Public Aid. They had a much more advanced one, of course, because it was partially funded, maybe fully funded, by the federal government, because they had to do all the Medicaid bookkeeping and stuff. I mean, we were really way down at the bottom of the heap. But Dotagee was right when he said we had about a circa 1970 computer system, network.

DePue: Well, and I'm thinking, okay, if there's ever an agency that needs to be technologically advanced, it would be the people who were writing the checks.

Netsch: Precisely, precisely. To the people who did more of the day-to-day operations business in the comptroller's office, they would get just wringing their hands sometimes. I think it maybe was my last budget, when the economy was beginning to turn around and the state was beginning to turn around a little, so we weren't quite as broke as we were at the beginning, they put together a package that would have allowed us to really update the technology, and didn't do it all at once. I mean, it was to be phased in over a couple of years. The legislators were gung-ho for it. We consulted with them on everything and they loved it. I think our budget had gone through the legislature or through at least one of the houses and was well along on the other at that point. Everybody was all gung-ho for this plan, Republicans as well as—in fact, they were if anything even more gung-ho for it. And then I remember sitting at my desk in the State of Illinois Building—I think it was like on a Saturday or some strange time towards the end of the session—and got a call from Edgar saying, "You're going to have to cut a whole bunch of money out of your budget," and the technology went (makes noise) like that. And I was

brokenhearted. I assumed sometime after I'd left, they have—I hope they've done the updating (laughter) since. I'm sure they have, yeah.

DePue: I'll give you a chance to do a little education here; you've stressed the importance of doing that in campaigns. I think you said it this way: "overall budget spending versus general fund spending." What's the difference?

Netsch: Well, let me use some figures first. In recent years, the Illinois budget is usually identified as being somewhere around, like 54 billion, 55 billion, maybe last year it got down to 53 billion. The general funds is more likely to be around 24 billion. I think it's been as high in recent years as 27 billion, but it's in that range, let's say an average of, like, 25 billion. That is the part that pays for almost all of the regular operations. The other part is all the capital projects, everything that is—you don't say off budget, really, but not part of the normal, day-to-day operations. You know, corrections, children and family service… What else? Well, aid to education. All these things are all part of the general fund's budget. That's the part that we pay the most attention to, because a lot of the funding in the rest of that budget is—well, I'll use the word somewhat generically, is earmarked. Your road funds, for example, are earmarked from the gasoline tax, from the license fees, and so forth. And there are other federal things that are funded separately but not part of the everyday operation. So it's always that general fund's budget that is the object of the most concern and attention.

DePue: You expressed the opinion that Edgar's budget office didn't quite grasp the implications of that. Was it because they didn't want to or because it was just…?

Netsch: Oh, I don't think they always understood it quite. Now, that's probably maybe overstating it a little bit, but I know that there were times when we were talking about certain expenditures or the source of funding for something and they didn't realize that it wasn't part of—either they put it in the general funds even though it was not allowed to be or didn't realize that it was not part of the general funds. I think those were the kinds of incidents that sort of drove a few of my staff up the wall. (laughs) They said, "They never did understand the difference between the…" (laughter)

DePue: Talking to Governor Edgar and Joan Walters and many of Edgar's chief lieutenants, that first couple years were very tough years in trying to balance the budget. Joan, for obvious reasons, got to be known as the woman who said no an awful lot of the time when people would come saying they need more money for this or be the bearer of bad tidings when you say you do need to cut, as you mentioned yourself. Overall, how do you think Governor Edgar and his team did, those first couple years in trying to balance that budget?

Netsch: I think they did try hard, and whether it was because—and this is going to sound really sort of patronizing—maybe a lack of full understanding of some

of the pressures on that budget—you know, it could have been pension payments, for example, or other things—or whether because it was the governor and he had to end up reaching some accommodation with the legislature… I guess what I'm saying is I don't know whether they didn't maybe **fully** comprehend the pressures on the budget or whether they just simply had to make adjustments to get the legislature to do something. I was sort of angry about it, at the end of —I assume it was the first budget year—when they finally finished their work and the governor was saying that the budget was balanced, and I remember saying to the press, "Well, if this budget is balanced, it's balanced on quicksand and it's already beginning to shift." I thought that was a brilliant statement (laughs) on my part. It just **came out**, because it was **true**. It wasn't balanced, and it did not take account of the fact that we were still in a recession and were not paying bills on time.

DePue: Were you something of the canary in the coal mine, then, going to the press? Did you see that as one of your functions?

Netsch: Yes, in terms of the state's fiscal condition, yes. Every month when we did our monthly statement, I would meet with the press, and at other times. It wasn't because I loved the spotlight, because it was not exactly the happy spotlight to be in (laughs) anyway, but because I thought it was **terribly** important that the people who covered state government understand as much as possible so that they could hopefully re-convey it to the citizenry as accurately as possible. I think I mentioned this once before: The press guys who covered state government said they all referred to my press conferences as Public Finance 101. (laughs) Some of the press conferences would last an hour because we really would go through a lot of things. I was more than happy to do that because I **did** want them to understand the nuances as well as the spins or whatever you call them, because that's the best chance that they would then write things that would be reasonably honest and reasonably accurate. Some of them actually occasionally I would hear complain; they would say, I know this and this and thought I had conveyed it in the stories I had written out of Springfield, but then the editors mess it up." I expect that's true in some cases.

DePue: You mentioned earlier in this conversation—and I want to come back to that—about your reluctance to borrow money, but you got to a point where you apparently decided that was something that was necessary to do?

Netsch: Yes. I remember when I first broached the subject, I don't remember if it was directly to the governor or to Joan Walters or to both or whatever. Edgar was not gung-ho about that. He resisted, actually, as I recall, for some time. I remember finally saying, "Look, we are borrowing. We are borrowing from the people who do business with us, who provide services for us, because we are not paying them on time. Many of them are having to go into the market and borrow in order to get by.The interest rates were pretty high at that time as I remember. "They have to go into the market and borrow at"—let's say 8

percent, or I keep remembering 10 percent; I don't know that it was that high—"and the state of Illinois can borrow at **maximum** 5 percent, usually 4 percent or something. It's not fair. So we have to borrow. We could do it, though, under the provisions in the constitution, which requires you to pay it…" It's not long-term borrowing; it's short-term borrowing. There are two provisions, and one requires you to pay back within a year, for example. I said, "At least we can catch up with some of these people and get them off the hook, and as long as we remember that we have to repay whatever it is that we borrow." Edgar finally agreed to that.

At one point—I don't remember whether it was the first time or not—we did. We borrowed, I mean, at that time, it seemed like staggering sums of money. It would seem like chump change by now. I want to say the first borrowing was like 200 million. I think it was, maybe. Well, in any event, figures change somewhat over the years.

Then one of my not-so-nice-about-Quinn stories was—I don't remember whether it was the first go-round or not, or it was second one. Edgar called me one day, and he said three of us had to agree for that kind of—

DePue: Quinn being the treasurer at the time.

Netsch: He was the treasurer at the time. —for that kind of short-term borrowing, and he said Quinn wouldn't agree; he wanted something. I don't mean anything personal—there's no question about his personal honesty—I don't think I ever found out what it was. But he was (laughs) trying to, in a sense, hold the governor up for agreeing to whatever this was, and he wouldn't go along with the borrowing. That led to what at the time was one of the most famous incidents in the history of the State of Illinois Building in Chicago. I blew my top. I marched down the hall to his office, and I'm told I could be heard all over the State of Illinois Building. (laughter) Eventually we got the borrowing done. It was too bad, but at least it was sort of rollover borrowing, it was short-term borrowing. You're still paying interest, though. I mean, you're still losing a lot of money that you could be spending on other things. But the problem was, we had reached the point where we were hurting so many people by not paying our bills on time that it really was **absolutely** unfair.

DePue: What happened in the pension payment equation? Was that something that was sacrificed in the…?

Netsch: I would have to go back and reconstruct. I don't think that he even included that in the basic budget that gets submitted to the legislature, that he called for that amount. My dim recollection is that it was not even there, and if not, it got tossed out along the way, which was really…

Now, we would still be terribly underfunded at this date, but we would be not **nearly** as underfunded as we are if we had at least made those payments during that period of time. That would have been from what, fundamentally ’90 or ’91 for, I don’t know… Well, we’ve sort of messed it up in the last few years anyway by either skipping or borrowing or doing the 10 billion dollar pension borrowing a couple of years ago, which I thought was horrendous.

DePue: That first budget battle Governor Edgar remembers very well because it was such tough economic times—

Netsch: It was.

DePue: —trying to figure out how to balance the budget. But also, he’s a political animal, and he remembers the struggles with the legislature. Do you recall getting to July first of 1991 and still having no budget and actually getting to the point of missing a payroll?

Netsch: Was it that first year, or was it ’91?

DePue: It was the first year.

Netsch: Yes. By the way, at times like that, my recollection is that his office and mine were together, trying to find ways to resolve these problems. I think July thirteenth was the date at which you actually missed that first payroll. July twelfth or thirteenth I think it was.

DePue: Yeah, that’s in the neighborhood, yes.

Netsch: We could sort of see it coming although we all hoped it would not, and so we were all working together to try to find some way to help the people who were going to be left high and dry by this. I remember things were done with respect to the credit union; we made some arrangements with some local Springfield banks to help people through that period, because most state employees are not rich, Most of them live, to borrow Pat Quinn’s favorite expression, from paycheck to paycheck. They really needed to have some leeway, so there was just an awful lot of—my recollection is—cooperation between the governor’s office and our office during that very, very troubled time, yes.

DePue: Were you involved with the negotiations that the governor would have been having with the legislature?

Netsch: No. (pause) I don’t think anybody ever asked me to or wanted me. (laughs)

DePue: Okay. Governor Edgar did see himself emerging, or his administration emerging, out of that first budget battle, with the legislature and with Mike

Madigan in particular as the victor, because there was more movement on Speaker Madigan's part on that. Any memories of that?

Netsch: I don't know that I really sort of stopped to think who won and who lost. I guess mostly because my feeling was that it hadn't really resolved the dilemma. I mean, that's what I think led to my statement that if this budget is balanced, it's balanced on quicksand. That's because, in a sense, we knew things that they either didn't know or didn't pay that much attention to (laughs) in their negotiations. One of them may have been the pension stuff, by the way.

DePue: This is probably a perfect segue, then, because in January of 1992, for the '92 budget, the governor has to come back and make even more draconian cuts than he had before, perhaps the time that they came back and approached you again and said, We need to find more out of even your staff and your budget. You recall that? That was probably the low point, the nadir of the financial difficulties that the governor had for the first couple years.

Netsch: I don't remember specifically their coming and telling us we had to cut even more out. I think that was my very last budget when they told me I basically had to cut out the—well, I guess it would now be called the I T update component. But I don't think that was the second go-round.

DePue: That would have been later from what you were thinking before.

Netsch: That's my recollection, that it was… Yeah. Because we didn't even put any of that stuff in. We wanted to, but we didn't, because we knew the state's finances were still so short. It was not until I think—well, the last budget I would have been putting together for the office when the things had begun to turn upward a little bit—we weren't 100 percent out of the recession, but it was much better than it had been—and we felt, Okay, now is the time. We have got to go for it and try to get this computer upgrade.

DePue: Okay. I want to close today, because I had promised that we'd only go for a couple hours, with the quote that you said, right at the end of fiscal year 1991, which would be July first of 1991. Correct? So a few months into the Edgar administration. "Plainly and simply, the state's fiscal health is very, very poor as we close the books for fiscal 1991." Your own quote that you mentioned today, that it's built on quicksand, I think is even more colorful than that. I don't know if it was this particular point in time, but you're looking at 2.8 million dollars in the bank that the state has, and at that time, apparently 331 million dollars of bills that you've got to pay.

Netsch: Which would have been the lapse periods. Well, we wouldn't have even have known at the very end how many lapse period—we might have had an estimate, but one of the problems was that these were bills that everybody in

the agencies knew about but they hadn't necessarily made their way (DePue laughs) fully through to us at the time.

DePue: For a variety of reasons.

Netsch: For a variety of reasons, yes. Of course, this is traditional with government. I mean, this has been known for years, not just in Illinois. If an agency has an appropriation, it breaks its back to make sure it has obligated that appropriation before the cutoff date, because otherwise it's afraid it won't get as much money the next year. (laughs) That's an old trick in government. I don't know whether that's still happening or not. Of course, one reason why you should track everybody on a shorter timeframe in terms of how the spending patterns are going is to prevent that kind of thing. I suspect that is done now. I think the new technology would have—

DePue: That might help.

Netsch: —would have made that possible. It's interesting. For some reason, I remember—and I swear it was Joan Walters—saying "You've got to cut your budget 5 percent." That was the first go-round, though.

DePue: That sounds right.

Netsch: And I said, "Sorry, we've already done more than that." I don't remember the next budget year, which is what you'd be talking about, right?

DePue: Well, in January they had to go back and make another adjustment on the '92 fiscal year. January '92, they would have realized they were way short of what they needed to do even for …

Netsch: So they were asking people not to spend as much as they had been—

DePue: Budgeted.

Netsch: —authorized to spend.

DePue: Yes. Of course, by that time you're already in the midst of the budget year 1993 planning as well.

Netsch: Yeah.

DePue: Let me just finish this way for today, then, if you've got some reflections on vendors, those who are owed money by the state of Illinois. What was that experience like when they're coming to you as the person who has to write the checks?

Netsch: Painful. Now, I didn't get most of them. I mean, other people on my staff would get a lot of them. But some of them would come through to me

directly, and I would hear about it all the time from my staff because they would be getting called. I have a couple of anecdotal things on that.

I remember one day—this was probably at the beginning of the period—I got a call from three people on the same day. One was George Ryan, whose DUI hearing officers were not being paid, had not been paid for some time. Now, one of the things we **always** met was payroll, because state employees don't earn that much. The DUIs were on contract, not technically on payroll. So I thought that was an absolutely legitimate point to raise and said, "Yes, we will see if we can't get that done right away." I had a call from (laughs)—I won't even mention his name—he won't mind—Ron Gidwitz, who was chair of, I think it was the Chicago Commission on Economic Development or whatever it was called at the time. I knew Ron anyway. He lives in my area. He was the Republican committeeman in my district for awhile, and he's a friend, too, by the way. He hadn't gotten a grant that the state had made to the Chicago Commission. I said, "You'll have to wait. That is not an emergency matter." The third one was from actually a member, I think, of Edgar's cabinet who had a strong tie to one of the social service agencies that was suffering because it had not been paid. I don't think I knew the answer to that one. I didn't know where that stood, so, you know, took the call and passed it along. That was three calls in just a short period of time. And those were just ones that got through to me because they happened to be people who could get—

DePue: Had enough clout?

Netsch: —had enough clout, (laughs) I guess, to get through to me. But my staff was getting calls like that, of course, all the time. I remember once there was a small—I swear it was a community college, I think in Springfield—and they weren't getting paid, and they were about to have to close down, or miss payrolls. I mean, that sort of thing was happening. Another one that was sort of funny was, the library in Chicago called. Now, normally they would have enough cash flow to be able to absorb at least some delay, but it turned out that this was a particular program that was separate from the library's general budget and he was at a point where they were going to have to lay them off or miss payroll for this one project. So things like that, just day after day after day. And you can imagine—well, I don't think people even bother to call anymore right now in Springfield, it's so horrible. You become terribly aware of how **unfair the state is being** by making all these people wait for months and months for their payments. It just doesn't make any sense at all. That was why I gave up on a longstanding principle very early on, which is, You never borrow for operations, because, as I said, I figured we were borrowing, but from the wrong source.

DePue: I think that's a great way to finish for today. Tomorrow we'll finish up with your years as comptroller and hopefully talk a little bit about the election in 1994 as well.

Netsch: Okay. What time—ooh, 4:30. Okay. If I'm still surviving tomorrow.

DePue: Thank you very much.

(end of interview #9)

Interview with Dawn Clark Netsch

ISL-A-L-2010-013.10

Interview # 10: March 17, 2011

Interviewer: Mark DePue

DePue: Today is Thursday, March 17, 2011. My name is Mark DePue, Director of Oral History with the Abraham Lincoln Presidential Library. It's—

Netsch: St. Patrick's Day.

DePue: —St. Patty's Day, yes.

Netsch: St. Patrick's Day. The holy day in Chicago.

DePue: (laughs) I'm obviously here with Sen. Dawn Clark Netsch. A very nice morning. I know you're not feeling 100 percent this morning—

Netsch: Correct.

DePue: —so I very much appreciate your spending some time with us. We'll probably have a short session today. We definitely wanted to hear your comments and thoughts this morning about the 1994 gubernatorial campaign. And I want to finish off with your years as comptroller and talk a little bit about 1993. You started that year with something like a backlog—this is March of '93—of well over 850 million dollars.

Netsch: Cash balance, right, a cash deficit, yes.

DePue: Then it's not too many months later that you've got the flood of '93. That had to cause some serious difficulties in your position as a comptroller, trying to pay the bills when suddenly you've got a lot of things that nobody had anticipated.

Netsch: Right. Well, I think probably the thing that was most compelling was I learned that the areas that were devastated by the flood along the Mississippi had only one request really—in some ways, not just from me, but almost from the state—and that was, "Please send money." I did take a helicopter visit, or no, I guess it was a plane visit. I went over the area with one of my staffers so we could get some sense of what was happening there, because I thought as a state officer, I wanted to know and I wanted to see how bad it was. Then I wanted to talk to a few people on the ground in some of the communities. Really, [that was] the one message I got whenever I talked to anyone, a mayor or a trustee or whoever it might have been. I think the largest community was Quincy, and I think Chuck Scholz was still—was Chuck still the mayor at that time?[16] Because he was a good friend. Then a couple of other mayors in smaller communities up the river. Obviously I didn't have the kind of physical resources that they might need—you know, equipment or something of that sort—but they said something that they all desperately needed was cash so that they could get the things that they needed and pay the people who were having to help do the cleanup and all.

And of course, that was one of the times, as I think you pointed out, that we were, to put it gently, short of cash. One of the things that had not been paid promptly—one of almost everything that had not been paid promptly—was the revenue sharing that went back to cities and counties from the income tax. That had been part of the income tax program from the beginning. The cities and counties, based largely on population, got 10 percent of whatever the state took in on income tax. We simply weren't paying it promptly, and we were paying virtually nothing promptly at that time, except, I should say, debt service, (laughs) which always got paid right away.

I don't remember whether I called the meeting when I went back or if we were just having a meeting to talk about what needed to be done, but I remember sitting around with Governor Edgar and the treasurer, Pat Quinn, and then some staff people—there may have been one or two other agency people, just a small number—talking about what could be done. I said that one of the things that clearly had to be done was to move the revenue sharing payments up to the cities and counties. Now, unfortunately, you couldn't really do that in any way by just selecting those that were in desperate trouble, so it had to be all of the revenue sharing, which took a fairly large hunk of money. But it was the one thing that we could do that they said would really, really help them move along. So that happened.

[16] Scholz, who had worked as Sen. Paul Simon's downstate political director, served as mayor of Quincy from 1993 to 2005.

DePue: Was that about the time that the state's revenue started to improve, when the national economy was rebounding a bit?

Netsch: In '93? Yeah. I can't tell you exactly when, and of course it's often sort of a slow process, but it was beginning to get a little better towards the end of that four-year period; no question about that. We were not suffering as much of a deficit in our projections of what revenue we were going to have as had been true up until that point. So yes, it was getting a little bit better. That then, as we were talking about before, led me and my staff to decide that in that next budget—which actually turned out to be my last budget I presented as comptroller—we were going to say, Look, we can't wait any longer to try to upgrade our technology; we have got to start doing something about it. That was why we felt a little more comfortable in putting the money—it wasn't a huge sum anyway (laughs)—into the budget for the beginning of the upgrade of technology. That was the amount I was then told I had to take out before the budget passed.

DePue: I'm sure that one hurt.

Netsch: Actually, I'm not sure I was clear about this. As I'm thinking back, the appropriations, at least that part of it, had already passed both houses and were before the governor. That was why I got the call from Edgar saying, "We're going to cut out some parts of your budget," and the technology improvement was one of them. My recollection was it was not a huge sum of money. One's memory gets fuzzy on these. I keep remembering something like 11.5 million dollars, which is nothing (laughs) in a state budget. Maybe it was more than that, but whatever it was, it got cut out anyway.

DePue: When in your term as comptroller did you start seriously thinking about running for governor?

Netsch: I didn't make any bones about the fact that that's something I wanted to do, but I had serious reservations about whether I would ever actually do it. Some of it is personal; it does completely control your life. The other part of it is, in a sense, I was so off the beaten path (laughs) in terms of the establishment of the party—in addition to being a woman, which was not exactly an advantage at that moment in time, I thought, or everybody thought—that I wasn't sure it made any sense to try to go ahead and do it. But that's what I wanted to do. Then as time went on, I saw things not getting done that I thought should be taken up. That was my concern with the then-governor and others in the top echelons, that they just weren't willing to stand up and take some tough, risky positions to get a few things done. So I decided the only way you can do that is if you're governor.

DePue: What specifically were the things that you thought that Governor Edgar—

Netsch: Mostly school funding and beginning the restructuring of how we raise public money in the state of Illinois.

DePue: And we talked a little bit about that. We'll get to that later as well. Was it 1993 that you came out with the BEST government proposal, B-E-S-T, as an acronym?

Netsch: I don't remember. (laughs)

DePue: BEST standing for Budgeting and Economy, Stability, and Truth in Government.

Netsch: Oh, we did! Goodness, I don't think about those little acronyms. I guess that's right. We had a legislative program, and I think—

DePue: That kind of encapsulated the program?

Netsch: Yeah, right, and there were several component parts to it. One of them, I remember, was reducing that lapse period spending. Some modified form of GAAP budgeting.[17] The idea of actual GAAP budgeting probably was not really realistic, but you could do it in a way that it began to move in that direction. I may have included in that package the tax expenditure proposal, which is one thing that did get passed, which I've always thought was terribly important because one of the hidden things in the whole budgeting process was the amount of money that comes out of our major sources of revenue in the form of subsidies of various kinds. Of course, that's the reason why it's done that way, in a sense, [so] that nobody has any idea of it. And nobody kept track of it. So one of the things I always felt very strongly about and sponsored—I think it was probably part of that package—was the bill that would require tax expenditures to be reported every year. We now do it every year.

DePue: In other words, where's the taxpayer's money going?

Netsch: No. Well, it's where is the money that never comes in as a result of the tax expenditures. In fact I was just looking the other day at the most recent report; it's always running about a year behind because you have to finish the fiscal year and have to get everything done—the total is now about 6.6 billion dollars. That means revenue that never reaches the state because of a whole variety of—I guess you could call them subsidies. The most expensive, of course, is the elimination of food and medicine from the state sales tax. That is now costing—I know some people would resent use of the word "costing," but it comes out of the tax base—oh, I think it's up to about 1.9 billion dollars

[17] Generally Accepted Accounting Principles: standardized rules of accounting developed by the Financial Accounting Standards Board and used by private business in the United States. For a rough overview of the implications of GAAP budgeting, see Michael D. Klemens, "The GAAP Difference: Building a Better Deficit Trap," *Illinois Issues* (July 1992).

a year that we never see because we don't tax food and medicine under the state sales tax. Then the personal exemption, and nonprofits don't pay sales tax on most of their purchases. I mean, it just goes on… And there are all kinds of business subsidies.

DePue: How about the lack of a tax on services?

Netsch: No, that would not be included in there because that's—it's interesting to explain why that would not be. It's not part of what would be in the base otherwise except that we've taken it out as an exemption or a subsidy, because we've just never taxed the services. Which we should, by the way.

DePue: You mentioned that there were several legislative initiatives, and you mentioned one that did pass. How about most of your legislative initiatives?

Netsch: There were several of them, and I think one may have been the modified GAAP budgeting. That's what we called it anyway. Another had to do with the lapse period spending. And there's another one that's eluding me right at the moment. One of the things that was very interesting was some of the most conservative members of the Senate in particular were gung-ho. These were all good fiscal management proposals. (laughs) I remember people like Peter Fitzgerald and Chris Lauzen and all of those folks—I think it was four or five pretty conservative Republicans who had been elected to the Senate right about that time.[18] In fact, they asked if they could be sponsors of a couple of these proposals. I said, "Absolutely. Join on. Be my guest." They were pushing a couple of them, and I'm trying to remember the one that—was it the reduction in the lapse period spending or was it the change in the form of budgeting, or maybe both? But I do remember that a couple of them talked to me in great anger one day because they had the bills ready to come out of committee, and they had the votes on the floor to pass them—in fact, they probably would have passed them overwhelmingly on the floor—and they got a call to go down to the governor's office, who said, "Lay off. They're her bills." Lauzen and Fitzgerald and Syverson and a couple of those folks were furious at the governor for telling them that they could not pass good fiscal management bills because they were mine.

DePue: The political season has already started, then, hasn't it?

Netsch: Apparently so, yes.

DePue: Was that about the time that you determined, Well, I need to run?

[18] In 1992, Lauzen (Aurora), Fitzgerald (Inverness), Patrick O'Malley (Palos Park), Steve Rauschenberger (Elgin), and Dave Syverson (Rockford)—all conservative Republicans—were elected to the Illinois Senate for the first time and dubbed the "Fab Five." Aaron Chambers, "The Illinois GOP Puzzles over Ways to Rebuild," *Illinois Issues* (March 2007).

Netsch: I don't think specifically that, but it was building up. And, you know, my frustration level was building up. (laughs) I was figuring that the only chance you have, maybe, to get some of these things done is if you're in the driver's seat.

DePue: I wanted to go back to the acronym BEST again, and the T in BEST stood for Truth in Government.

Netsch: What did we call it? Truth in budgeting. I think it had two parts. One is on the revenue side. Any time a proposal was made either to add on or to reduce revenue, you had to be very upfront about it and have a—what did we call the things that went on pieces of legislation?

DePue: A rider?

Netsch: No, not a rider. An accountability report card, which said how much it was going to cost. Pension bills, for example, among other things. And any new programs were required to say it's going to cost the state this much, either in terms of expenditure side or loss of revenue side. The idea of truth in budgeting was to have everything laid out there, including the impact of revenue measures.

DePue: Here's my indelicate question to this: "Truth in Government" would suggest that the current administration was not being truthful in terms of how they—

Netsch: Oh, I don't think it necessarily… No administration is totally truthful, I think. (laughs) There are always some things that—I mean, this could go back even to something I was talking about yesterday, when Governor Edgar said, at the end of that first budget, that the budget's balanced, and I said, "Yeah, on quicksand." I use the term games played with it, a lot of stretching of things, of extra-optimistic revenue forecasts or failure to take into account the impact that something out there in the economy, for example, may be having on expenditures. A lot of that sort of thing. Some of it, of course, just happens, it's not deliberate, and some of it is a little bit deliberate. The legislators are very good at that, probably even better than the chief executive. So the idea is to try to be honest about where we really are.

We were in so much fiscal trouble even then, that it was hard. I spent most of my time as comptroller trying to educate the media, but also making talks around the state to any group that asked me, practically, to try to explain what had gone wrong with our fiscal system and what kind of condition it actually was in, which led finally to that report I left when I left office in January 1995. So the idea is at least you've got to be straight with the voters. Sometimes they may actually end up saying, "Okay, as long as we know what you're asking some more money for and that it's going to go there and that it's required to fill a gap or whatever the truth may be." Sometimes the voters are a little more acceptant and understanding than (laughs) elected officials

give them credit for. So that was something I really felt very strongly about. You just **don't** play games with the **honest** fiscal condition of the state where the pressures are on the expenditure side and in a sense where the pressures are on the revenue side. The fact that we had, for example, a sales tax with a very narrow base, so it was not going to grow in the way that it should just under normal circumstances, and that it did in other states which had broadened their base. Those are the sorts of things that I think people have a right to… They won't always listen and they won't always respond the way you would want them to respond, but by golly, I think if you're in elective office, you have an **absolute obligation** to make it as clear and simple and truthful as possible.

DePue: Of course, 1993, in the middle of the year especially, the Illinois public is focused on the flood. But that's about the timeframe in the political cycle that people like yourself have to be making some hard decisions about whether or not you're going to run in 1994. Can you walk us through that decision process?

Netsch: No. (laughter) Probably not. I mean, it had been there. Obviously I had thought about it before. I remember having a couple of friends who did a lot of work in Springfield—(laughs) for some reason I remember this—sitting in my office one day and saying, "You've got to do it." And other people would talk to me about it, either raise the question or even say, "No, you should think about it." So it begins to churn more and more. I don't remember the exact moment at which I decided, Okay, I've had enough of this. I'm going to go for the brass rail—brass…

DePue: Ring?

Netsch: Ring, thank you. Not rail. (laughter) The brass rail is what goes around in the state capitol.

DePue: You were thinking St. Patrick's Day, perhaps.[19]

Netsch: Right, or that one. So at some point I said, "Nope, I'm never going to get some of these things done if I'm comptroller, and therefore, I may as well, as I say, go for the brass ring and see what happens."

DePue: Cynthia Bowman in her book quotes you as saying about this time, "Somebody's got to change the state. I think I can do it."[20]

Netsch: I didn't think I was that immodest. (laughs)

[19] A brass rail runs along the third floor of the capitol rotunda, outside the House and Senate chambers, and has long been used as a meeting spot for legislators and those who wish to lobby them. DePue's joke references the brass foot rails popular in bars.
[20] Cynthia Grant Bowman, *Dawn Clark Netsch: A Political Life* (Evanston, IL: NU Press, 2010).

DePue: The other aspect of this is, you weren't the only one who was throwing your hat in the ring. There were other credible candidates on the Democratic side who were also very interested in the position. Early on you had Roland Burris, you had Pat Quinn, and you had Richard Phelan.

Netsch: Yes. Those three ended up in it, and there may well have been others whose names were being bandied about at the time. I know in some of the early speculation that the political reporters do all the time, half the time they left me off the list. (laughs) I remember speaking severely one day to Tom Hardy and saying, "You might at least mention my name once in a while." (laughs) He was the *Tribune* political reporter at the time.[21]

DePue: Before, you had some concerns about running against Roland Burris for other constitutional offices. Why not this time?

Netsch: Because I decided that if I were going to… Well, to perfectly honest, I didn't think the things that I thought needed to be taken up and dealt with would be dealt with by Roland Burris as governor. And time had passed also. He'd been in office—I don't think he was that good an attorney general. I didn't like a lot of the things that they did. I made the decision exclusive of whether he was going to do it or not, but if I had been asked directly, I would have said no. The things that I thought were important that needed to be addressed, I at least was willing to address, whether I would get them all done or not, and I didn't see that happening [with Burris].

DePue: You made this decision at the time in your life when most people are thinking about retirement (Netsch laughs) and not going into the toughest job in the state. Was age ever a consideration for you?

Netsch: Not for me. (laughs)

DePue: How old were you at the time?

Netsch: I've forgotten. Probably in my sixties someplace. I've forgotten—

DePue: Maybe when you announced, sixty-seven, and I think you were sixty-eight at the time of the election.

Netsch: That sounds about right, yes. And I was in very, very good health. In fact, I went through the full medical examination, and my doctor said, "I wish I was in as good shape as she is, and I'm twenty-five years younger." (laughs) I was in very good shape at the time, so that was not a factor. I assumed it might be to other people, but it wasn't for me.

[21] In July 1992, Hardy labeled Netsch "a decided long shot" for the 1994 gubernatorial nomination—behind Richard Daley, Burris, and Quinn—although he felt "she was one of the most intelligent and best-qualified Democrats to manage the state." Four months later, he placed Netsch in the "first tier" of Democratic candidates. *Chicago Tribune*, July 12, 1992, and November 5, 1992.

DePue: How about Walter? Where was he with this decision?

Netsch: Well, supportive, and became, of course, very supportive. I think sometimes Walter did not always see the consequences (laughs) of some of the things, you know, the demands that it makes on your time. Comptroller was enough, or even being in the state legislature was quite enough, but governor is—what's today's favorite expression—twenty-four–seven. I'm not sure that he always saw all of those consequences. But he was gung-ho supportive.

DePue: Were you concerned about his health?

Netsch: He was in pretty good shape then also. I mean, he had things off and on, but nothing like the things that happened subsequently.

DePue: Part of this equation has to be whether or not you think you can actually be successful. You know you're going to face a tough primary campaign, but did you also think at the time that Edgar is beatable?

Netsch: I didn't know, to be perfectly honest. You don't know (laughs) unless you get in there and try. My feeling was I wanted him to be beatable, and the only way you can test that out is to mount a campaign, have some reasons for it. One of the things I remember saying a lot of times is, I never quite understood why Edgar went through all of the pain and difficulty of running specifically for the office of governor, because it's a very hard thing to do. Whether you love campaigning or not—and we were talking about that earlier—it's tough (laughs) to run for governor. And I never saw any real commitments on his part. I never figured out what he really wanted or cared about in terms of public policy that would lead him to go through the throes of running a statewide gubernatorial campaign.

DePue: You're suggesting that you didn't see any passion on his part?

Netsch: No.

DePue: How about leadership? That's a word that's—

Netsch: No, I just didn't see it. He was very nice on a few things, like recognizing that the state had some fiscal problems and making some efforts. I thought the efforts were in some ways maybe half-hearted, but he was trying to get the budget a little bit back in shape—although at the same time, not recognizing some of the commitments that were there, which didn't always show up on the appropriations ledger. I think he was very responsible and serious about that, and I often thought of him as a good middle manager but not as a leader.

DePue: I don't think you'll disagree with this. Edgar had a reputation for a couple things: one, that he was very careful to craft his public image in that respect; also that he was very careful to portray himself as a man of integrity. He

certainly had that reputation at the time. Would you agree with that latter statement?

Netsch: At the time that we were running?

DePue: Yes.

Netsch: Yeah, I think so. Yes.

DePue: Well, that gets—

Netsch: I think he got away with something later on that I'm not sure I ever really fully understood, the MSI thing.[22] I remember some of the news reports on that, including one that said there was a luncheon or a dinner at which these various people were all present and talked about some huge campaign contribution, and he was there. Because there was this, he's-the-nice-boy-next-door, integrity reputation, which I think had been deserved. You know, nobody ever followed up (laughs) on any of that. So I've never really quite understood about that, except it certainly looked to me not very nice at the time. That was a little bit later, but anyway.

DePue: Let's go into the heart of the primary season, and start with Governor Edgar. In Governor Edgar's case, he does have a challenger in Jack Roeser. Am I saying that name right?

Netsch: Jack Roeser. That's right, yes.

DePue: But it wasn't much of a credible challenge, and he didn't really have to spend much of his political cash, his capital on that. You were going into a tough four-way race that eventually ended up being a three-way race when Pat Quinn dropped out fairly early in the process. But you still had Roland Burris and you still had Richard Phelan, and early on, as I understand, both of them had a healthy lead on you in the polling.

Netsch: And there was a fourth also.

DePue: Okay.

[22] Management Services of Illinois, co-owned by Michael Martin and William Ladd, had a contract in the early 1990s with the Department of Public Aid to weed out people on Medicaid rolls who were ineligible and should have been getting private insurance. Through false cost estimates and billing for work done by state employees, they ended up overbilling several million dollars, allegedly aided by two Public Aid workers, Curtis Fleming and Ron Lowder. It became a scandal because Martin and Ladd donated money and provided computer services to Edgar's 1994 campaign, and newspapers published allegations that MSI kept a "lobster list" of food and benefits paid to people in the Edgar administration. Martin also claimed that Edgar was "culpable in this thing." Edgar was never charged with wrongdoing. For the Edgar administration's perspective on the scandal, see Jim Edgar, September 9, 2010, 943-946; Sherry Struck, November 3, 2010, 90-99; Mike Lawrence, July 2, 2009, 58-71; Gene Reineke, June 4, 2010, 54-65; Jess McDonald, October 4, 2010, 62-64; Mike McCormick, July 22, 2010, 74-78; and Al Grosboll, November 6, 2009, 37-41. All interviews by Mark DePue for the Jim Edgar Oral History Project, Abraham Lincoln Presidential Library, Springfield, IL.

Netsch: That was Gierach, Jim Gierach, who's going to be here at the law school on a program that the students are putting on sometime next month. It was a four-way race, actually.

DePue: So it's going to be a tough race, an expensive race for you. Where does the money come from when you're running—

Netsch: Beats me.

DePue: —way behind the pack?

Netsch: It not only beats me, but I think it helped to beat me. I simply did not have access to the traditional Democratic network. I hadn't even had a fundraiser for ten years, which I almost learned to regret subsequently. Because I didn't have any opposition when I was in the state Senate, I went for about ten years without having a fundraiser. (laughs) Any other politician would say that's crazy, you have to get people used to giving to you every year whether or not you need it. I didn't like that idea. So I didn't have a fundraiser until I really began the race that eventually became the race for comptroller. I didn't have really much of a network built up, and I certainly didn't have that much of a network built up from the comptroller's campaign. So no question, it was going to be extremely difficult. And a few of the people who gave large amounts of money to Democratic candidates from time to time, who I went to see, wouldn't give me anything. So I had a very, very tough time.

One person—and I'll never forget this. In fact, it was strange. Ben Heineman, whom I'd known for years, who'd been part of Governor Stevenson's team in a sense, was our choice for the first chair of the Board of Higher Education when we created that under Governor [Otto] Kerner, and just a marvelous person—somebody I'd known, obviously, for years. He contributed fifty thousand dollars, which was an extraordinary sum for me at that time. I think I got one other large personal contribution later on. I found it almost embarrassing, because the press then, once this happened, started, "Well, why is he giving her that much money? What's his interest? What does he want?" You know, that same sort of thing. They couldn't believe—Ben Heineman was retired, he had tons of money by then. He had been chair of Northwest Industries among other things. But he was somebody that came out of my political past, or I came out of his political past, I suppose, which was all very high-level. They really just hounded that for a while and finally decided, no, he had no (laughs) ulterior motive at all.

But that was another thing. I lectured the media frequently about the way they treated things like that; that was an opportunity to lecture them again and say, Look, sure, there is pay-to-play and other kind of stuff that happens, but you have to understand that as long as you have to raise money to run for public office, and especially as long as there are no limits—which of course, I was strongly for—then you simply have no right to try to turn every

contribution into something nefarious and underhanded and evil. If you do, then the main thing you're doing is you're adding to the cynicism of the voters about the whole process, because you are trying to tell the voters that every public official is for sale, and here are all the sales prices, and that simply is not true. The more **you** build that notion up, the worse it's going to be in terms of, you know, trying to restore some trust and confidence.

This jumps back a long period in time. I don't remember whether we talked about this or not, but I was heavily involved in, and to some extent responsible for the first campaign thing that ever happened, which was disclosure. We didn't even have disclosure when I went into the Illinois Senate in January '73. For the disclosure bill, the lead sponsors were Republicans because the Senate was controlled by the Republicans at the time. So I was one of the principle sponsors but not the first names on it. I think it was maybe Bradley Glass and a few folks like that.[23] The bill was buried in committee. I don't know how I pulled this off when I look back on it, but one day I caught everybody by surprise, namely all of the leaders, and filed a motion to discharge. They tried to bury it, but we got a roll call. I lost the motion, but the next day, the *Chicago Tribune* published—I think it was on their front page—that roll call, and (laughs) that got their attention.[24] They figured they were in for big trouble, the leaders who were opposed to any of this disclosure. So eventually they set up a committee to review the subject and try to come up with something, as long as I was not a member of it. Literally! Finally, we did pass a disclosure bill; that would have been in '73. We'd had nothing up to that point.

Then when people started disclosing, you began to see this pattern. This is one place where I get very critical of the media folks. The one that I specifically remembered was John Holabird, who was an architect—actually a friend of ours, someone obviously we knew very well—and a very distinguished person, a very honest person, integrity galore and all this sort of thing. He had given a very modest amount of money—I think it was like a hundred-dollar contribution—to somebody, I don't even remember right now, who was running for office or in office. A couple people in the media tried to turn that into an attempt to buy business or something. Ooooh! I hit the ceiling. That was when I started lecturing the media on this thing. I said, "If you guys continue that sort of absolutely irresponsible, speculative attempt to paint somebody black," or with bad colors anyway, "then I, who had a lot to do with the fact that we got this disclosure, will file a bill to repeal it. Sure, you have a right to get all the information out, and if something does appear fishy you can call attention to it, but you have no right to try to paint everyone who makes a campaign contribution into some kind of a sleazebag." Unfortunately, to a very considerable extent, that is what has happened over

[23] After one term in the House, Glass (R-Northfield) served in the Senate from 1973 to 1979, rising to assistant minority leader. He lost the Republican primary for state treasurer in 1978.
[24] "Ethics Vote on the Record," *Chicago Tribune*, June 29, 1973. The article ran on page sixteen.

the years. Now, I realize—obviously we've been fighting against this legislatively—that there is pay-to-play; a lot of that was taking place. That's something that we have tried to control in a variety of ways legislatively. But again, to try to destroy the whole system by saying that every contribution is a pay-to-play is just wrong.

DePue: You've used the word "lecture" in relation with the press. Isn't that somewhat dangerous?

Netsch: Yes, yes, yeah.

DePue: You're trying to court them as well.

Netsch: Yes, yes. Actually, I've always had a pretty good relationship with the working press. In fact, yesterday, Sarah Schulte from ABC wanted to talk to me about this issue that she'd suddenly been assigned. She said, "Can I come over and tape you?" I said, "Sarah, I'm not running for anything. Why do I have to do this all the time?" She said, "That's why we like to talk to you." (laughter) If you treat them as professionals you get a pretty good return back. Lots of them are very good people, and lots of them are very good reporters, but there are some things that I think are absolutely wrong, and it's not always the working press person who is responsible for it. Sometimes it's somebody farther up the line. But they should be told once in a while when they get off base. (laughs)

DePue: It's the copy editor or the managing editor or…

Netsch: Yeah. Oh, I've chewed Bruce Dold out a couple times, who was the editorial head of the *Tribune*—who's also a friend. The way they treated the fact that we finally passed campaign limits in this state. They actually used a not very nice word to describe it. "A crock of…" was literally how they described it. I let him have it one day on that. Maybe the only way you can do that is, if you have a reasonably good working relationship with most of the press guys, then I think they're more willing at least to hear you and not automatically turn on you. Because the press can destroy almost anybody if they want to.

DePue: Let's go back to the beginning of the primary campaign. I want to get into your mind in terms of strategy. Specifically, do you sent out a message that's focused on Jim Edgar or on the rest of the Democratic field?

Netsch: (pause) Whew. I don't think I was sending out a message focused on any of them. I was sending out a message focused on why am I doing this; what do I think needs to be done?

DePue: On policy issues, then?

Netsch: Yeah. Of course, the big one—which (laughs) everybody would have said, "You're crazy to do this"—was what came to be known as the school funding swap. It never was a swap directly; I was adding on more than that, but—

DePue: And even more shorthand, the tax swap.

Netsch: Tax swap, yes. But I had people who understood state finances working on the proposal. I knew generally what it was; I set the outlines for it then filling in some of the details and helping to get it written up and getting the tables and all that sort of thing. That became the Netsch plan, which I have a copy of in the other room there. It's amazing; sometimes (laughs) I get requests for a copy of it still.

DePue: I think we need to include that into this record here. You can correct me when I get this wrong. The proposal was to raise the state personal income tax from 3 to 4.25 percent, and also raise corporate tax at the state level from 4.8 to 6.8 percent, and then have a corresponding reduction in property taxes.

Netsch: Well, when you say "corresponding," not quite. Somewhat simplifying the proposal: It would have raised at that time—of course, it'd be a lot more now—about 2.5 billion dollars, I think. The idea was that one billion of it would simply add on to the state's commitment to funding public education; because we were **way** out of line in terms of what I thought we should be doing, in terms of what actually many other states were doing at the time, and what I felt my famous, infamous, sentence in the Illinois constitution required, which is the state has the primary responsibility for funding education.[25] So about a billion of it would have simply increased the state's contribution to education. Another billion would have been the property tax relief. I don't remember whether this is in the written Netsch plan or whether we talked about it separately—there were a couple things that I sort of added and supplemented as we went along on the entire proposal—but one of the things that I talked about all the time was that you had to do something to persuade people that they were really going to get some property tax relief, because the voters didn't trust (laughs) the legislators in that respect.

DePue: Did the legislature have total control over what the local property taxes would be?

Netsch: Oh, it could, sure. The state controls all of local government; it could set this up any way that it chose to do it. Sometimes it might require a three-fifths vote if you're taking away the power of home rule cities to fund themselves, but that was not an issue here at the moment; we weren't taking anything

[25] Article X, Section 1: "The State has the primary responsibility for financing the system of public education." For a detailed account of the development of the education article of the state constitution, see Jane Galloway Buresh, *A Fundamental Goal: Education for the People of Illinois* (Urbana: University of Illinois Press, 1975). For Illinois Supreme Court's interpretation of this sentence, see Mark Mathewson, "Litigation of Equal Education: A Question of Interpreting State Constitution," *Illinois Issues* (May 1990).

away. In fact, the whole point was to try **not** to take the essential property tax money away from local governments or school districts who are so dependent on property taxes—that's why property taxes are so high—but to try to give the taxpayer a **visible relief**, if you will.

So the idea was that when the whole property tax cycle was finished and you got your property tax bill—you, every individual, and every business that was paying a property tax—you were told… Let's say, for example, that your property tax for the year was going to be five hundred dollars—if you were so lucky (laughs) as to be that low—then we would have computed the part of that that was attributable to school funding. On a statewide average that was about 60 percent, and we would have said, "Okay, here in your taxing jurisdiction, of your five hundred dollar property tax bill, let's say three hundred dollars is attributable to funding the schools"—it would be more than that, actually—"But the state is going to pay part of that liability, so instead of paying the three hundred dollars, you'll be paying two hundred and fifty dollars, and the state will give to the school district that other fifty dollars." That does two things. One, it shows you, hopefully, literally on your property tax bill that you **are** getting some property tax relief. My argument was that's the only way that you're ever going to persuade people that it's actually happening.

The second thing is, you're not taking away any property tax revenues from the school district or the other units of local government that are dependent on the property tax. I think that was my own idea, and I thought that was absolutely brilliant. (laughter) So I always made it clear that the property tax relief was going to be in a form in which the property tax payers could actually see what was happening. And I was also very clear, by the way, in two other things, and then we mapped this out for every part of the state: how much you would be giving in additional revenue, how much you would get back in terms of added money for your school districts, and how much you would get back in property tax relief.

One of the things that I was very clear about was that, in terms of the property tax relief, the people who would get the largest sum, so in a sense benefit the most, were the people in the New Trier district.[26] I mean, New Trier is always somehow used as the symbol of a wealthy school district with superior schools. It's also an area where most of the funding is done by local taxpayers through their property tax because New Trier does not get that much money and state aid for its schools. So there was no question that a larger part of that one billion dollars in property tax relief was going to be going to people who were already paying for a much larger share of their schools than other parts who were getting much more state aid. I understood that.

[26] The New Trier district includes several wealthy North Shore suburbs of Chicago bordering Lake Michigan.

And one of my arguments—this is sort of the pragmatism of politics, I guess—I said, "Look: talk, as I have for years, to those who represent suburban Cook County or the growing collar counties where so many of these school districts exist that **don't** get very much state aid because their property tax base is too rich." They will say, as one of my very good friends, who was a Republican senator said, "I understand and I agree. But what am I supposed to do with the people I represent? They're going to pay that extra income tax because we've got a higher income level in my district, but we're not going to get anything back from it because most of any increase in state aid is going to go to"—well, everybody always says Chicago, although Chicago doesn't get that much—"to the very poor school districts," which could be like a Harvey, Illinois, or the downstate ones. And he said, "I can't make that argument. I can't make it sell." So what I could say back to him with my proposal was, "Okay, you're not going to increase your proportion of state aid very much, true, but you are going to get your taxpayers some reduction in their **property** tax liability, and it's their property taxes which are funding their schools." It's the best you can do to try to say, "Oh, you've got to have a little altruism in this, you've got to have a little bit of looking down the road; if we don't educate the entire population, we're going to be in big trouble anyway." But at the same time, we are trying to say, "We're responding as best we can by giving **your** constituents **something** out of this entire package."

Those were my two billions, and then the other half-billion was a recognition that given our flat rate income tax, and we tax people at a much lower income level than almost all the other states, we've always had a pretty regressive state and local tax structure. Once you raised the income tax up to 4-5 percent, my extra quarter percent was to provide some tax relief so that it wouldn't be quite as burdensome on those at the really low income level. Of course my argument always was the way you do that, or one way to do it, is by inversely graduating the personal exemption.

DePue: When you think about the tax swap and the property tax reduction, you always think about that family in suburbia that's sitting in a pretty expensive home. How would this play out for farmers that are sitting on some very expensive land?

Netsch: They would get benefit from it, too. I don't think I computed exactly; their property tax liability also depends on what county they are in. But they would have benefited. One reason why I probably didn't figure it out exactly for the farmers is, by then we had adopted this complicated formula for assessing the value of farmland, which is based on its agricultural soil productivity, and I don't think anybody understood it (laughs) or could figure it out. You start with the University of Illinois agriculture group certifying something. I mean, it goes on.

DePue: Yeah, there's a couple agriculture economists down at the university. Maybe they're the ones who figured that out.

Netsch: Right, yeah. But they would get some benefit, and so would business. I know some people said, "You shouldn't give any help to business." Of course, business pays a big hunk of the property tax. I said, "Absolutely I think that is wrong, because everybody who does business, has a business, in the state of Illinois, is paying the property taxes—every business." That is probably the heaviest burden they pay and one that most of them can't get out from under, because you can find the property. Huge numbers of companies don't pay a dime in state income tax because of all the loopholes and everything else that takes place, and the formula for distributing income of multi-state corporations. But everybody who is **here** pays a property tax, so I want them to have some relief also.

DePue: At least on your assumptions, this proposal is going to take the state's share of school expenses from something like 34 percent to 48 percent, so we're getting closer to what—

Netsch: It's getting closer to where it ought to be, yeah. And by the way, interestingly, everybody always thinks the constitution says 50 percent. I drafted that sentence for the constitution, that the state has the primary responsibility; I must say at the time I was thinking, like, 70 percent, 75 percent. I mean, I really think the school system is the state's primary responsibility, literally, as far as I'm concerned. The state, which has the opportunity to broaden the revenue base and to make it fairer and to spread it around more, literally has the primary responsibility, and that should be even more than 50 percent in my judgment. (laughs)

DePue: We spent quite a bit of time talking about the tax swap proposal, and I know we're getting close to that hour time limit that we both put on this to begin with. We did that in part because that's such an important aspect of your campaign, but it's also the thing that your political opponents, both in the Democratic primary and in the general election—

Netsch: Went after.

DePue: —are going to be going after. Were you surprised at the way that the other Democrats focused on that particular issue and you in particular?

Netsch: I guess I was a little more surprised that Richard Phelan did. Dick was a good friend of mine, we'd known one another for a long, long time, and my sense was that he really probably understood this (laughs) enough to realize that it was the right way to go. So I guess I was maybe a little more surprised about Richard.

DePue: I know that you also developed this series of issue papers, and those were important to you. Do you recall some of the other issues that you had written up and studied, and how well did the press receive those?

Netsch: They usually don't pay much attention to such things, which of course is another subject on which I occasionally would lecture (laughter) the press. I remember domestic violence, and how you deal with guns, and I think I had an environmental one. Possibly on transportation—the major issues that the state faces.

DePue: Certainly funding issues, fiscal issues.

Netsch: Yeah, and that of course was all tied into the school funding thing, too. That was intended to be a part of that. An example I remember, in terms of people getting shot and gun violence and all that sort of thing, you have to have press conferences, too. One was a press conference, I think out at Cook County Hospital. One of the points we were trying to get across in terms of the gun violence was the change in pattern of the people that ended up at Cook County Hospital with gun wounds. One of the things we'd learned was that, number one, there were often a lot more of them because of multiple shots that the guns could fire, and that they also were making different kinds of wounds which were much harder for the emergency people out there to treat. That had to do with probably the caliber of the gun and the size of the bullets. Even more importantly, how many of them were young people. So we were trying to get across the idea that nobody's trying to take away the hunter's guns or some things, but we just simply had to do something to try to rein in the kinds of guns that were being used and hopefully the abundance of them. Here was a dramatic example of not just an increase in the violence but an increase in the kind of violence that it was doing to the young people, particularly, who were being shot.

I remember at the press conference, one of these silly issues had come up. There had been a bill which had something to do with handing out candy at Halloween. I don't remember the details, but I had voted against it. And everybody was saying, "You want these young people to be poisoned by some things that are handed out on Halloween, trick-and-treating?" Something like that. The first question I got was not about what we were talking about. We had some of the **doctors** there who were describing how this pattern had changed, and how disturbing it was, obviously, to them. The first question I got was about the Halloween trick-and-treat vote. That was very disturbing.

No, some reporters who are more serious, and I would have to say probably had more support maybe from their editorial boards or editorial folks up higher, would pay attention to some of the position papers, but a lot of them just didn't get that much attention. The one that did, of course, was the Netsch plan, because it was a tax increase.

DePue: And the percentage you kept hearing if you turned on the TV—

Netsch: Was 42 percent.

DePue: Forty-two percent.

Netsch: Yeah, which was phony.

DePue: Because that didn't include the tax swap side of it?

Netsch: Yes, absolutely. And one of my points at which I should be very angry still about the campaign: I was told that Edgar was at a luncheon and sitting next to Paul Simon one time, and I guess Paul brought this up. Edgar said, "Well, she was just ahead of her time, and we understood that; it's something that should happen, but ahead of her time," including on the 42 percent. They never backed down on that. And, of course, once it got out there, then everybody believed it was a 42 percent tax hike.

DePue: That's that five- or ten-second sound bite that's easy to understand.

Netsch: Yes. Yeah, right.

DePue: We're at that point in time where we had promised that we would keep this limited today. We'll pick up with the rest of the primary season and get into the general election next time, if you're willing one more time to bear with me. Thank you very much, Senator.

Netsch: Okay.

(end of interview #10)

Interview with Dawn Clark Netsch

ISL-A-L-2010-013.11

Interview # 11: June 23, 2011

Interviewer: Mark DePue

DePue: Today is Thursday, June 23, 2011. My name is Mark DePue, Director of Oral History with the Abraham Lincoln Presidential Library. Today I'm happy to be in Chicago again, at Northwestern University Law School, with Sen. Dawn Clark Netsch. How are you, Senator?

Netsch: I'm…vertical, as the saying goes. (laughter) Thank you very much. And you?

DePue: I'm great.

Netsch: Good.

DePue: I've been looking forward to doing this since we had to postpone because you had academics and grading exams and things like that to take care of.

Netsch: Ugh, yes. Now that is over—for the moment, anyway, yes.

DePue: I believe, Senator, this is the beginning of our eleventh session. Just as a reminder, last time we met, we were talking about the election in 1994. We were still about halfway through the primary season, and we were focusing on the issues, particularly the tax swap issue as one of the central issues even in the primary. But I want to start with this.

Netsch: And by the way, I always try to correct people and say that it wasn't literally a tax swap. I mean, there was an exchange involved in it, but the expression "tax swap" makes it sound as if it were just an equivalent amount of money raised by an increase in the state income tax to the same amount of money in property tax relief. And that was not true; I was actually adding about a billion dollars more to the state's contribution to education funding, then also adding more education funding with a concomitant decrease in the property tax contribution to school funding. It wasn't a pure swap.

DePue: Was that one of the things that you had to remind your friends in the press occasionally?

Netsch: Yes, and I'm not sure they ever quite got it.

DePue: Well, I would imagine that probably—

Netsch: Probably it was better that it was thought of as a swap. Overall it was an increase in the amount of revenue that was going to be raised, although it was not, as Governor Edgar said, a 42 percent tax increase.

DePue: That was exactly where I was going with that. That bothered you more.

Netsch: Oh, that bothered me a lot. (laughter)

DePue: I want to start off today's session by reminding everybody—if you haven't had a chance to read the last session, and reminding you, too, Senator—of the

comment that you made about why you decided to run for office. This is a quote from our last session: "I never quite understood," you said, "why Edgar went through all of the pain and difficulty of running specifically for the office of governor, because it's a very hard thing to do. Whether you love campaigning or not, it's tough to run for governor. And I never saw any real commitments on his part. I never figured out what he really wanted or cared about in terms of public policy that would lead him to go through the throes of running a statewide gubernatorial campaign."

We talked in depth about the issues you had with the governor last time, how you reached the decision and felt somebody needed to do something and you were up to the task. Is that essentially right?

Netsch: Yes. Well, I was up for trying to do something about it. Certainly no one would accuse me of being a shrinking violet in terms of standing up for issues which are not necessarily the most popular politically, but which tried to focus on the things that I thought really were important for everybody, education being the primary one. And along with that, a reasonable, fair tax structure. I've always recognized that the two went together, because you don't pay for public services with—what is it the governor of California was using? It was used during the Depression a lot. A very common word, something besides cash.[27] So you have to have a fair way to raise money, an efficient way to raise money, and then you have to know what you really want government to be doing.

DePue: Was "voucher" the word you were looking for?

Netsch: No, not quite voucher. It'll come back in just a minute.

DePue: One more quote that I'm taking from our last session, and this is your quote about Governor Edgar: "I often thought of him as a good middle manger but not as a leader."

Netsch: I said that. (laughter)

DePue: And you're standing by that?

Netsch: Yeah. I mean, a very nice person, thought of as a nice person, which is one reason why I think he's so well-liked now—helped, by the way, by the couple of governors who followed him.[28] That sounds like sort of a catty thing to say, and I don't mean it to be that, really, but I think I might have even mentioned that I remember some of the Republicans saying that he was not going to be long remembered because he had not really stood out, in a sense.

[27] In July 2009, California issued scrip, IOUs redeemable in October, to cover the state's shortage of cash.
[28] George Ryan (R-Kankakee) and Rod Blagojevich (D-Chicago), who were convicted for corrupt acts they committed while in office.

But what he did and the decency that he represented, compared to what took place afterwards, in many people's mind, I think, elevated Edgar a lot.

Although it's also interesting because a lot of people in government who sort of know about Illinois state government would tell you—and this is on both sides of the aisle, Democratic and Republican—that except for the things that went wrong, George Ryan was a pretty good governor; a real leader on a number of things, which is what you **want** your governor to be. It wasn't just on the thing that he's most known for, which is the death penalty moratorium, but on a lot of things before that. One that he probably took a lot of heat for was taking a group to Cuba, which (laughs) many of us think should have been happening decades ago. He was also very helpful to the legislators in passing—I've forgotten what they finally called it—like a healthcare bill of rights. Certainly on a capital program, which, sure, those things cost a lot of money, but it really was overdue in Illinois at the time that Ryan put his into place. So there were a lot of important issues on which he was a real leader, which was very interesting, despite his later downfall.

DePue: Let's get back to Jim Edgar and specifically your primary campaign. Your campaign manager, Kappy Laing—how would you pronounce that name?

Netsch: Yeah, yeah. Kappy Laing. (pronounced lang)

DePue: How did you select that person?

Netsch: I had known her, and she had been very much a part of our politically active, sort of independent, Democratic, yes, liberal community, and had been actively involved in a lot of things political, not in the more traditional sense. I certainly knew her well and thought she had the astuteness, the political savvy, the energy, and was someone that I knew and liked and trusted, which was also very important.[29]

[29] A graduate of Northwestern University and Kent College of Law, Katherine "Kappy" Laing served in Harold Washington's administration (1983-1987) as Chicago's legislative liaison in Springfield. She then moved to the Chicago Transit Authority, serving as the agency's director of intergovernmental affairs. Active in the reform wing of Chicago Democrats and a supporter of the women's movement, Laing was part of a remarkable circle of friends who were starting their rise to power in media, policy, and politics. The group included Marilyn Katz, who founded MK Communications and helped run the media campaign for Washington's successful 1983 mayoral campaign; Jan Schakowsky, who has served as an Illinois congresswoman since 1999; Julie Hamos, legislative counsel to then-State's Attorney Richard Daley (1981-84), deputy director of Daley's 1989 mayoral campaign, and current director of the Illinois Department of Healthcare and Family Services; and Tina Tchen, who worked as a budget analyst at the Department of Children and Family Services and was involved with NOW's fight for the Equal Rights Amendment, and who now serves as Michelle Obama's chief of staff. "New Staffers Bring Decades of Experience," *People@Illinois Springfield*, September 27, 2010, http://spotlight.uis.edu/2010_09_01_archive.html; Abigail Foerstner, "The Group: Consciousness-raising Taught a Lesson that Remains a Powerful Bond," *Chicago Tribune*, December 3, 1989; "Who Runs Gov: Christina M. Tchen," *Washington Post*, http://www.washingtonpost.com/politics/christina-m-tchen/gIQAEgiS9O_topic.html.

DePue: Did it surprise you, the amount of involvement or work that it took to put together a gubernatorial campaign versus running for comptroller?

Netsch: I don't know that it really surprised me. I probably had a pretty good idea. Bear in mind, because this may come up as you ask me some more detailed questions about it, that the candidate often is less aware of what's going on than most of the other people around the campaign because there are only two things, maybe three things, you are allowed to do: One is to go out and meet people or attend a rally or something of that sort. The second is to get that phone in your ear so you can start making the fundraising calls. Then the third is you are occasionally allowed to sleep. Not eat; eating is very special. Which is why I used to jokingly say that if it weren't for peanut butter and the fact that I like peanut butter, I think I might have died from malnutrition (laughs) during the campaigns, especially when I was campaigning in the Chicago area and would be dumped off at my house at eleven o'clock at night or whatever it might be, usually without having been fed. I would have a peanut butter sandwich, and I literally lived on peanut butter.

DePue: That kind of goes contrary to what a lot of people think about campaigns, where you are out on the stump and you're going to places where they are feeding you, but it's all the wrong kind of food.

Netsch: That does happen, except that most of the time, you just don't get to eat, even if you're at a place where food is being served, because people want to talk to you all the time and tell you what they think is important. Which is fine; that's what you're out there to hear. The other thing I was occasionally allowed: we would stop along the way someplace at a McDonald's, and I had a Filet-O-Fish sandwich. I thought that was at least a little better for me than a great big, huge hamburger or something.

DePue: You went through the drive-through window or into the restaurant?

Netsch: Usually drive-through. In fact, I still get kidded by some of the people who were with me during that campaign. If we drive by a McDonald's, (laughter) they'll say, "Don't you want to stop for a Filet-O-Fish or something?" But it does give a sense of the fact that it's an all-consuming activity. And it is true that a lot of what is happening out there, the candidate really does not experience firsthand. I mean, you might be asking me about some of my own ads on television or some of the Edgar ads or the others in the primary period. I might have seen them because they played them for me once, but I had no sense of a lot of this happening, because I was never allowed to sit down and watch things or read newspapers or whatever. (laughs)

DePue: Cynthia Bowman, when she wrote about the campaign in her book, *Dawn Clark Netsch: A Political Life*, mentioned that there were some tensions in the campaign staff early on. Is that how you recall it today?

Netsch: No. (pause) Hm. Since I haven't read that part of the book, I probably ought to take a look at it. I don't recall that… I know a tension, apparently in all of my campaigns—which I became aware of really much, much later—and that was, Walter would sometimes call and tell people, especially if it involved something visual, what to do or sometimes make his thoughts known, I gather. Of course I was not aware of that. The people against whom it was directed didn't tell me about it. And I think that put them under some tension from time to time. But if there were tensions among the staff, I would have to tell you right now, I do not recall that. And the chances are, they would have done everything to make me unaware of it.

DePue: So that you can stay focused on the campaign.

Netsch: Yes, and making fundraising calls, (laughs) which is…

DePue: The early campaign: Roland Burris, Richard Phelan, Pat Quinn—they're all in the race. I think Quinn drops out fairly quickly after that.

Netsch: Yeah.

DePue: But you're well down in the polls.

Netsch: And Jim Gierach stayed in.

DePue: Yeah. That was the other name that I couldn't recall. But you're well down in the polls.

Netsch: (laughs) That's putting it mildly, yes.

DePue: A dark horse candidate, I would assume most people thought at that time?

Netsch: Yeah, an improbable one. I guess dark horse would be it also. Yes.

DePue: So in the strategy groups, when you're talking to your campaigns staff and the political advisors, what's the plan for emerging from this pack?

Netsch: I guess I had only one plan, and that was, I was going to tell it the way I thought it was going to be told. Years before I actually ran for office, I often opined to others who were politically interested and active that I thought candidates could and should be a lot more candid with the public than they thought; that if you had a chance at least to tell what your position was and explain a little bit about it, people, even though they might not agree, could be much more accepting and much more civil to you than was generally perceived to be the case. I also would occasionally add, and I think this was true, that it works better if you have a chance to see people face to face and not just on these stupid thirty-second ads or something like that.

I think I went into the campaign maybe still believing that in a sense, or wanting to believe it, although by then I certainly had been around politics long enough to know that it didn't always work out that way. But I really believed that this whole thing of what we do about our commitment to public education and what we do to the fairness of how we raise money was so important to the state and to everybody in the state, that maybe by being honest about it and explaining, it would work. So the whole thing was putting together what we eventually published as the Netsch Plan. That was the campaign document. Now, there were other issues in which I was also very, very interested and tended to have a position that was probably a little bit ahead of the pack.

DePue: We talked about several of those last time, at least in talking about the position papers. So when you say the "Netsch Plan," do you mean the collection of position papers?

Netsch: No. The Netsch Plan was this blue book, which was basically the education funding thing. I don't see the copy right here; there's one in my office.

DePue: Okay.

Netsch: Admittedly there were a whole bunch of other position papers also, but the thing that was known as the Netsch Plan was raising the state income tax, considerably changing the state's contribution to the funding of public education with accountability, reducing the amount of the total cost of public education that was put on the backs of the property tax, and allowing enough of an income tax increase that I could begin to build a little bit of progressivity into the income tax by reducing the burden on people at the low end of the scale.

DePue: The last time we met, we did talk quite a bit about the policy issues in that early campaign. At least for the primary season, I want to focus on some of the political decisions as well. Fundraising, you've already talked about. Figuring out how to get the message out, you just said, as much as possible, face-to-face, but you just can't get all the way to do that.

Netsch: No, not when you're running for a statewide office.

DePue: So obviously early on, part of the decision was to get aggressive early with an ad campaign. Does that sound right?

Netsch: We intended to try to do that, yes, right.

DePue: And that means money.

Netsch: Yes, of which I never had very much (laughs) in my campaigns, although we worked very hard on it.

DePue: Where did you get the money to do that initial advertising blast?

Netsch: We had fundraisers all over, and some of it came from people who knew me and were friends. I don't remember the exact timing, but I'm pretty sure that I made a loan early on to the campaign, which means Walter made a loan early on to the campaign. Then later, of course, we had to put in an awful lot of our own money.

DePue: Was it two hundred and fifty thousand dollars up front? And I've heard as much as a million dollars over all that Walter, because of some art sales, had given to the campaign?

Netsch: Later in the general, yeah, he sold a lot of our artwork. That's my recollection also. I don't remember the initial loan, as a matter of fact. Those are other things that candidates—well, this candidate, anyway—tended not to pay an awful lot of attention to.

The one—and I remember this particularly for a couple of reasons—the one large individual contribution that I received was from Ben Heineman.[30] Now, Ben Heineman was someone that I'd known going back to Governor Stevenson, really. He had done a lot of work. I think he was the one that led the investigation of what was then a tobacco tax scandal for Governor Stevenson and had done a few other things. When I was doing work for Governor Kerner and putting together the first board of higher education—which was one of our major contributions from that administration—trying to find the right people to get it off on the right tack, Ben Heineman ended up being the choice for the first chair of the first Illinois Board of Higher Education. It was a real coup on our part, and he was marvelous. And of course he got off to a very good start, in terms of it being what we had always wanted it to be, which was the overall visionary, if you will, for higher education in Illinois. So he was someone I'd known for a long, long time. He had by then, I think, retired and was out of the business. He had run Northwest Industries, which originally had been the railroad and then took in a lot of other things, sort of a conglomerate. Obviously he trusted me. So he wrote a check for fifty thousand dollars, and I think that was one of only two fifty-thousand-dollar checks I may have gotten during the entire process.

One reason why I remember it, apart from the fact that it was Ben who did it, was that right after that, of course, the press got on it, and they were sure he had some nefarious interest in government contracts or something. That was something I then, and still do, get very annoyed at my friends in the media about, and a couple times threatened to try to repeal all of the

[30] Heineman was a highly successful attorney and businessman, who served as president of the Chicago & North Western Railway from 1956 to 1972, and founded of the Northwest Industries holding company. Mark R. Wilson, Stephen R. Porter, and Janice L. Reiff, "Dictionary of Leading Chicago Business (1820-2000): Northwest Industries, Inc.," *Electronic Encyclopedia of Chicago* (Chicago: Chicago Historical Society & The Newberry Library, 2005), http://www.encyclopedia.chicagohistory.org/pages/2796.html.

disclosure and (DePue laughs) other campaign reforms we had passed if they didn't stop trying to make **everybody** into a crook who was trying to buy some **untoward** access. They spent so much time trying to figure out what was Ben Heineman's angle in giving me a generous check like that. And of course they couldn't find a thing. (laughs) But the fact that they spent all that time and energy looking for it was something that has stayed with me, obviously, for a very long time.

DePue: This is going to take you back, but I wonder if you can recall who initiated the conversation between you and Walter about making these sizeable contributions to the campaign.

Netsch: No, I don't specifically remember. Remember, I had no campaign fund going into this because, like an idiot, I had not had a campaign fundraiser for ten years, I think. You just don't do that when you're in politics; you have one every year whether you're running or not, apparently. And of course I didn't think that was a good idea. So I had no campaign resources. I knew, just to get the staff people in an office and a few things, quite apart from a media thing, that it was going to take some money upfront. Money was joint for Walter and me, and I don't know whether I said I'm going to have to take out a loan or whether he offered one; I just don't remember, to be perfectly honest. It would have been sort of mutual by then.

DePue: Where was he on the whole issue of running for governor in the first place?

Netsch: Yes, and then in some ways no. I think yes in the sense that he thought that I was a very good public servant—the state of Illinois needed me, he would have said, (laughter)—and was very supportive. But at the same time, he had problems with the extent to which it sort of took over your life, I think. And it does.

DePue: Yeah, once you declare that you're running for governor, you basically lose control of your schedule almost completely.

Netsch: Oh, you lose control of everything, yeah. I think I finally saw the Robert Redford film, *The Candidate*. What I heard about for years, I think before I finally did see it, was that after <u>all</u> of this goes on with people controlling your life and your schedule and everything else, he was supposedly sitting in the back of the automobile or whatever and saying, "Now what do we do?" because you hadn't had to make any decisions for yourself for such a long period of time. That's not 100 percent true, but there is a major, major element of that.

DePue: Let's get to the point where you've figured out how you're going to get that initial money you need to run an ad campaign, and now it's, What kind of an ad campaign? Tell me about that. This is all leading to the decision to run probably the most famous—

Netsch: Famous ad in all time, right.

DePue: Of Illinois political history, at least.

Netsch: Yeah. Well, again, I probably had only a couple of things that were real input. Number one, I just didn't want to be negative, and certainly not negative in a personal way. And I wanted to get out some of the things that had made me decide to run for governor, because that was really what the campaign was supposed to be all about. Media folks and campaign people do an awful lot of that talk. Sometimes they involve the candidate and sometimes they don't. I should probably preface this by saying, unlike an awful lot of candidates I really wasn't terribly interested in that part of being (laughs) a public servant. Maybe I should not acknowledge that even now. But more than many candidates, someone was hired to do the media; someone was hired to do the scheduling; someone was hired to do this, that, and the other. And that's fine; that's what they're there for. It's not for me to try to figure all of that out. I was not what some would call a domineering presence in the campaign. Now, if I felt that they were about to have me do something I didn't want to do, I would say no and that would be the end of it. But it wasn't me sitting there mapping everything out, because I never considered myself, to be honest, that good a politician. So a lot of that was probably being worked out by—

DePue: When you say "that good a politician," you mean that good a campaigner?

Netsch: All right, campaigner.

DePue: I'm not trying to put words in your mouth, but I would expect you would say you were an effective legislator.

Netsch: Oh, I think I was, yes. (laughs) I'm very immodest about that. But apparently it's almost standard operating procedure that the first ad—or maybe the first few—are what are called the biographical ads, so they don't get into an awful lot other than who is the candidate, and something about them. I believe that was probably the first couple of ads. And that's fine. I mean, (laughs) I can't really object to that. I don't think I had any negative ads. I do remember there was one ad in which I think I suggested that… Roland Burris had made the point that he wasn't going to tell what he was going to do until after the campaign was over, (laughs) and I thought that was the most outrageous thing I'd ever heard in my life. I probably tried to nail him on that: What do you mean you're not going to stand for anything until after you've asked people to vote for you, and then they're supposed to—a pig in a poke or whatever.

DePue: When you say you had no negative ads, are you talking about during the primary season?

Netsch: Yeah. I don't think I did in the general either.

DePue: We'll get to the general a little bit later. All of this is always in the eye of the beholder, anyway.

Netsch: Yes. I realize that, yes. Inevitably, if you're saying, I should be your governor instead of somebody else, there's an implied negative in that, I assume.

DePue: So tell us how the pool ad came about.

Netsch: I'd almost forgotten this once. There had been a newspaper photograph quite some time before that—I want to say maybe before the campaign ever started—in which some political folks were asked something that was kind of a secret in their lives. I mentioned pool, and I ended up having my picture taken, I think it was in a newspaper, shooting pool. I probably had forgotten about that because I was not doing much pool-shooting in those days. I had, but that's another long story.

DePue: Did you and Walter have a pool table?

Netsch: No. The actual story is that when I was in high school, a friend of mine and I founded a youth canteen to keep kids off the streets, on weekend nights especially. We got an old deserted schoolhouse that wasn't being used, and we got teams in there and painted it and fixed it up and all this kind of marvelous stuff, and then it was going to be open on Friday nights and Saturday nights. Of course by then, everyone else had worn out, I guess. So guess what, I was left there to run the place on every Friday and Saturday night. It had ping-pong tables and juke boxes, we called them then, and pool tables. So what did I do? I learned how to shoot pool, and I was pretty good at it by the time I finished. I didn't have many opportunities to do that in later life. But Walter's sister had a pool table in the basement of their house, so occasionally I would be able to get in a game there. It just kept me from being 100 percent rusty. But I had to practice before the ad was actually shot.

Saul Shorr, who was my media person, must have seen that picture and got the idea. I'm pretty sure it was Saul who dreamed up the idea of the pool ad. My first reaction, of course, I said, "Come on, don't be silly. That's so undignified and so blah, blah, blah." Anyway, they talked me into it. So I had to do a little bit of practicing, needless to say, then we did get around to actually shooting the ad. In the meantime, the tagline that went with it became my campaign slogan, if you will, "a straight shooter." The whole idea was that I was one of the few candidates who was willing to tell people the way things were and the areas that I cared about and what I intended to do about them, and that included, of course, raising the state income tax, which is considered suicidal. That tagline, I appreciated; "a straight shooter," and of course it did fit in nicely with the pool ad. I practiced and practiced and managed to finally make the shots, and I was insistent that they were not allowed to use in the ad any shot that I had not actually made. So I did make those shots.

DePue: Cynthia made it sound, though, that you had to be seriously talked into doing this in the first place.

Netsch: Yeah. Well, I think I just said that I thought it was inappropriate and undignified and a few other things like that. But they did finally talk me into it, obviously. I was a pushover in the end, I guess. The thing that was interesting about it—in fact, I later heard this story, maybe directly from the horse's mouth, so to speak—but apparently there was some kind of Republican fundraiser going on or a Republican event the first day that this ad really showed up. I was told that George Ryan, who was then secretary of state, was there, and all these Republican folks, and they saw this ad with me shooting pool and just went bananas. They freaked out, as it was described to me, and I don't know whether they said so at the time, but they later claimed they thought it was the most brilliant thing they'd ever seen. But everybody noticed it because it was, I guess, so unlike me and took everybody by surprise. And it was not negative, by the way. That was the great thing about it. It was, you know, a straight shooter thing. I don't think there's much doubt that it did begin to turn the tide on the primary.

DePue: Well, they could have also portrayed you playing softball or attending a White Sox game or something like that.

Netsch: Yeah, yeah, I suppose so, but somehow shooting pool is of a different order. There are lots of politicians who go to baseball games or something. Although one of my favorite pictures, which I don't think you've ever seen, is hanging around someplace over in the studio, I think. I happened onto a softball game in Bloomington, Illinois, and they had me throwing out a few of the pitches. Don't tell me it's in—is it in the book?

DePue: That's the picture of you playing softball.

Netsch: Oh, yeah, and I had an annual softball game in my district, too. Right. True, I'm a great baseball fan, but somehow pool is on a different order, I think. So it was an enormously successful ad, which I say with total modesty, because I didn't dream it up. In fact, I resisted it for a long period of time. But it did wonders, and it made me shut up for a while about how I hate ads and political campaigns.[31]

DePue: Here's how the *Tribune*, though, quoted you, I think shortly after this came out. This is from the February fourth edition. "If I had known the effect the commercial would have, I might not have made it. It's completely opposed to everything that I stand for. I wanted my campaign to be about substance." (laughter)

Netsch: I'd forgotten I had said that, but—

[31] The ad attracted national attention. For example, see "Illinois Candidate Transforms Herself," *New York Times*, March 21, 1994.

DePue: But didn't fight the poll results after it came out, I assume.

Netsch: Oh, yeah, yeah. My rationalization, I guess, is first of all that it was not negative, and second, it **did** convey the message that I was trying to get out, which is, you have to be upfront with people about something that you think is important enough that it ought to be the central issue of the campaign. And that was true.

DePue: So as much as you wanted to have a campaign about substance, there was a little bit of symbolism there as well.

Netsch: A little bit of symbolism and I'd like to think a little bit of substance also. (laughs) Right.

DePue: But this is about the time, now that you're a serious contender, that Burris and Phelan really start coming out after you.

Netsch: Yeah.

DePue: Were you surprised by that? And it was about the tax plan primarily.

Netsch: No. I don't think I was surprised that Roland Burris did. A little bit surprised that Richard Phelan did, for two reasons: one, we'd been long-time good friends, but also because I thought he really did know and understand better what needed to be done about the state's fiscal policy and its commitment to education. I thought it was not quite aboveboard for him to pretend as if this was simply a horrible idea.

DePue: By the time you got to a debate with the candidates in the primary season, you were surging ahead or perhaps even pulling ahead by that time. Do you remember much about the debate?

Netsch: There was only one, wasn't there?

DePue: In the primary, yeah.

Netsch: In Springfield, I think.

DePue: I couldn't tell you that.[32]

Netsch: I'm surprised if you tell me that I was pulling even or even ahead, because my recollection is that didn't happen until very late, pretty late in the game. I thought I was still pretty much under siege from primarily those two candidates.

[32] Netsch and Edgar faced off in two closely spaced debates. The first was the October 19, 1994, evening debate in Chicago, televised by Channel 7-WLS and sponsored by the League of Women Voters and WLS. The second debate was held Friday afternoon, October 21, 1994, and broadcast live from the WILL studios in Champaign. Both debates can be viewed at the C-Span video library: http://www.c-spanvideo.org/program/61030-1.

DePue: We'll have to check the newspaper polls and see what we have and get that corrected if that's the case. March fifteenth is the primary date. What were your expectations going into that day?

Netsch: I don't think I really knew for sure what was going to happen. I think by then I had pulled maybe even a little bit ahead of the candidates, so then it becomes in large part a matter of who votes, and—

DePue: I do believe that the newspapers declared you the winner of the debate.

Netsch: Oh, they did?

DePue: Yeah.

Netsch: Oh, good. (laughs)

DePue: And that's their pundits who were declaring that.

Netsch: Okay. That was nice of them. I don't think I remembered that they had done that. I tell you, it's amazing how many things happen that you don't even know about when you're the candidate, because you're not allowed to stop and think about things.

DePue: So the results of the primary election.

Netsch: Maybe I thought I was going to do reasonably well, because one thing that surprised me a little bit was how poorly Richard was doing, Dick Phelan. As I say, he was somebody I knew very well, a good friend, had been really—how should I put it—sort of a hero, particularly in the liberal community in the Chicago area, and also had made some very strong commitments on property taxes and things of that sort. And I'm not sure I know why even now, but Richard's message just didn't catch on with people at that time. I think he was surprised by it too. (laughs)

DePue: How much of that would have been because he was very much a Chicago-based politician and didn't have a statewide reputation?

Netsch: But I don't know; people are used to that. I suppose in the minds of most people statewide, I was a Chicago-based one also, although I certainly had been around the state a good deal more than he had.

DePue: And you were a constitutional officer, so you had the name recognition.

Netsch: I was a constitutional officer, right. I haven't even looked at all the vote turnout. But Roland Burris was not igniting the minority community to the extent that I think he thought he would.

DePue: Do you think you made some inroads into the black population of Chicago?

Netsch: Yeah. I mean, not enormous. Again, believe me, I do not know exactly the figures. That's why I say I'm not really the world's best politician, because I don't spend my time poring over election returns. But the sense was that he was not catching on in the African American community, certainly, to the extent that he thought he would. I'm sure he took it. I'm sure he had many, many more votes there, but it was not like Harold Washington, for example.

DePue: The results, then: Netsch, 45 percent; Burris, 35 percent; Phelan, as you mentioned, way down, 15 percent.

Netsch: Yeah, that was a real surprise. Yeah.

DePue: Both of those gentlemen would have been well ahead of you at the beginning of that campaign.

Netsch: Oh, yes. Now, you didn't give me Jim Gierach's figures.

DePue: Yeah, I don't know what those are, so I'm consistent in being vague about him, I'm afraid.

Netsch: Interestingly enough, just recently he was here at the law school on a program some of the students had set up on drug policy, because he is **passionate** on the need to do something about drug policy. Mostly it is to legalize it or legalize most of it, because he thinks it's been an absolute disaster. He was here on a program on that, so we had a chance to chat again.

DePue: You're the surprise winner of the primary campaign, at least for most of the pundits, and so many people attributed the pool ad especially and the performance in the debate as the reason for that—and I'm sure you would say the message. Was there any thought, then, of reorganizing the campaign or readjusting it for the general?

Netsch: I think you always have to sort of take a deep breath and perhaps look for someone who's had a different kind of experience or who isn't worn out by the process; because it was a very trying period, especially a primary campaign where I start out for all practical purposes in dead last place with a message that is not always the most popular message to convey to the voters, and a real problem in raising money, no question about that. So you almost have to get some fresh blood and just kind of start all over again. I don't remember, to be honest, all the discussions along those lines exactly, except that it seems to me that it's almost inevitable that you have to make it. And I don't think Kappy even wanted to go all the way through the general election.

DePue: So who was the new campaign manager?

Netsch: Jack Reid.

DePue: What can you tell us about Jack?

Netsch: I'm trying to think how he first came to… I didn't really know him particularly, or not that well. A couple of the people who were very much into supporting me and being part of the team knew him and thought well of him. We needed someone who didn't necessarily have a strong Chicago identity, I think, just to try to broaden that base. I can't remember. You're asking me how many people we might even have considered or thought about, and I don't remember. But he came to our attention early on, and everybody liked him and thought that he had the right temperament and the right kinds of qualities and talents to be able to do something like this.

DePue: The way the Illinois constitution is written, the lieutenant governor position is also a race that stands alone and separate; you're not running as a ticket of governor and lieutenant governor.

Netsch: In the primary.

DePue: But then you re—

Netsch: In the general, you are.

DePue: And it was Penny Severns who had emerged as the winner of the primary. Tell us a little bit about your relationship with Penny.[33]

Netsch: Penny and I had been good friends long prior to this. In fact, I remember very distinctly early on in all of this, I said, "Penny, I know what's going to happen. Dick Phelan's going to ask you to be his lieutenant governor candidate." And sure enough, he did. I told her I thought it probably wasn't the best thing for her to do, but that was clearly her decision to make, and her decision was she was going to do it. She was then often put in the position during the primary of attacking me—now, not on a terribly personal level, but attacking my plans and things of that sort. Which was too bad, because it didn't sit well with me, and I'm not sure it sat that well with her either. But somebody had to be sort of the attack dog. So she was left with a number of things that she'd said during the campaign that were contrary to my positions and contrary to what I was in this race for.

It was a little awkward about what was going to happen once she won the primary and became the lieutenant governor candidate. And I will tell you, there were people in the campaign who said, Dump her. I mean, you can't literally; you can't legally dump her, but just ignore her. As far as you're concerned, she's not part of it, because she said all of these negative things about your positions and your leadership and that sort of thing. I never

[33] Severns began her political career in 1983 when she was elected to the Decatur city council. In 1986, she won election to the Illinois Senate, where she served with Netsch on the Education, Elementary & Secondary Committee. During the 1994 campaign, she learned she had breast cancer yet undertook treatment—including surgery and chemotherapy—while remaining in the race. In November 1997, she had surgery to remove another tumor, and she died in February 1998 at age 46. *Illinois Issues* (March 1998), 35.

seriously considered that **at all**. Sure, I was a little annoyed by some of the things she'd said, and she and I talked about it a little bit. I hate to say this, because it suggests something that I don't really approve of: Things happen in campaigns that are not always (laughs) what one would hope to have happen in campaigns, and I said I sort of understand why she got put in the position of doing that. So I, quote, "forgave her."

DePue: Did she offer an apology when you first realized that the two of you were going to be running on the same ticket?

Netsch: I don't remember anything quite like an apology. I mean, we talked, obviously.

DePue: Did you sense any hesitancy on her part of being an enthusiastic supporter of the ticket?

Netsch: No, I don't think so by then. She knew there were going to be some awkward moments because of things she'd said during the primary, but we were good friends. It was the first time in history that both the governor and lieutenant governor [candidates] of a major political party had been women, and we decided that, Okay, we'll make something of that also.

DePue: Did you see that as a liability?

Netsch: I think the honest answer is nobody knew whether it was going to be a plus, a minus, or a wash, for sure. There certainly were going to be some negative reactions, particularly from those who still didn't like the idea of women running for major public offices, and here, for cripes' sake, were two of them about to take over the state. So we were going to lose something on that score. On the other side, women were getting to be **much** more interested in and **supportive** of women in public office by then, something that was not true when I first started running for public office, but this had been developing over a period of time. So we thought maybe it'll really hype that part of the spectrum and they'll get much more excited and work much harder on all of it. Then for some people, it just didn't make that much difference, and we knew that also. So the answer is, there was no way of knowing for sure which way it was going to wash. But it didn't make any difference; it was there, so… (laughs)

DePue: On the political spectrum, where were you versus Penny in terms of left and right?

Netsch: Probably a little more left than Penny, although I think we've always thought of her as being a liberal senator. But I think I'd been more identified and upfront on a lot of things, whether it was the tax thing or gay rights or even—well, I think she'd probably been a pretty early supporter of the Equal Rights Amendment and women's role. But there were a number of issues, criminal justice issues, where I think I was probably, if you want to put it in those

terms, to the left of Penny. She was not a conservative, though, not by any matter of means.

DePue: Did she offer some strength in terms of being able to appeal more to the southern part of the state?

Netsch: We hoped so, yes. Again, you're never quite sure until you get out there. But remember, the opponent was also from the southern part of the state, and so that was going to be washed out, in a sense. But she actually had longer ties to the state Democratic Party than I did, because as a Chicagoan and an independent Democrat, we were always excluded from being part of the state party in some sense. That had changed somewhat, for example, when Vince Demuzio was state party chairman. But in terms of being active participants in "the party" as a structure and an institution, Penny had been more part of that, I think, than I ever had.

DePue: Let's talk about your opponent, then. Jim Edgar did have a primary opponent, but he didn't have to expend any of his campaign capital to easily put away his primary candidates. So he's got plenty of money to start with. Your thoughts at that time in terms of how he was vulnerable and how you were going to try to beat the candidate?[34]

Netsch: Probably about what had led me into this in the first place. I think there were things that needed to be done to get this state in the right direction. They had not been done by Jim Edgar, and there were no real signs that they were going to be done by Jim Edgar. I thought we were losing too much time and what we needed was not a nice person who would preside over a nice, stable Illinois—to the extent that it was stable at the time—but somebody who would really want to move us ahead in the areas where we needed to be moved ahead, education being the primary one. So that was my feeling.

He was an incumbent, which is always a problem. One of the less-nice things I remember saying at the time was, "He's an incumbent and nobody's mad at him because he hasn't **done** anything to make anybody mad at him." That was obviously going to be an obstacle.

DePue: Well, he spent the first couple of years wrestling with a serious budget deficit, where there was some serious cutting of the state budget to balance things out. You said nobody was mad at him. There were certainly constituents out there that were upset because some of the programs they were associated with had been cut. He has the opportunity early on, because he's got the money in the bank, to run a campaign ad in June of all times, when that's not normally the rule.

[34] Edgar offers his account of the 1994 campaign, referencing many of the same events Netsch discusses, in Jim Edgar, interview by Mark DePue, June 18, 2010, 720-775. Unless otherwise indicated, all interviews cited in the notes were conducted as part of the Jim Edgar Oral History Project, Abraham Lincoln Presidential Library, Springfield, IL.

Netsch: Yep. That is correct.

DePue: Before we get into your response to that, you're now in the role of also having to raise money for the general campaign.

Netsch: Yes.

DePue: Tell us about that. Was it another time to go back to Walter and say, "We need to take another look at our own finances?" Were there other campaign events?

Netsch: Oh, I think most of the time during the general, I wasn't the one raising that issue with Walter; (laughs) I think the campaign staff was going behind my back, all the time saying, "We need more money." I sort of learned about some of that later. But I knew we needed money, so it was just trying to find what sources were available and continuing to spend half your life on the phone, begging for money. I know the public is turned off on all this because they think all people in elective public office are bought and sold, which, by the way, is not the case. One of the things I've always tried to make a point of, which I don't think I get much sympathy for, is what it does to the candidates also: the fact that money seems to be almost everything now in campaigns. Because it does, it takes over your life; everything that you do is, get on that phone and raise money. It's just horrible to what it does to your ability to do what you think you are there to do, which is to meet the people, talk to them about the issues that bother everybody, talk to them about the things that you would like to do, and listen to what their response is—genuine interconnectedness. Sure, some of that can happen, but so much of it is just get on the phone and raise money.

DePue: Did you get any help from the national level or from President Clinton's office?

Netsch: They never do much directly, but he did come here and do one fundraiser for me. Of course, that was his absolute low peak, remember. I mean, he was down at the bottom of the barrel at that moment in time, which is why the Democrats did so badly in '94. Now, we didn't know it was going to be that bad when the campaign started; we began to pick up signs of that as the campaign went along. But he did come in and do one fundraiser for me. Sort of sadly, but appropriately, he was at least three or four hours late. But it was legitimate. He has a habit of doing that anyway, but there was some major development that had come up late in that day in Washington before he flew in. I can't remember right now what it was. But no question, it was quite legitimate; he had to stay there and deal with it. So he was terribly late in getting here, and by the time he got here, half the people who were there had already left. It was that bad. We would go out every so often during this period and say, "The president is coming, but he's been detained by"—and we couldn't even say what he'd been detained by; it was secret, secret. But he

was here. I must say, I remember when we first announced that he was going to be coming in, some of my good friends in the media saying, "Are you really sure you want Clinton here on your behalf?" Remember, he was just negative at that time.[35]

DePue: Was it just Bill, or was it Mrs. Clinton as well?

Netsch: Oh, no. Just the president, yeah.

DePue: When was that? What month?

Netsch: I don't remember.

DePue: Earlier in the campaign, though?

Netsch: It was probably not real, real early, but it was not towards the end. That's rather vague, but I can't remember exactly when. Although my response to them was, "He's still the president of the United States, and I would welcome him here," which I did.

DePue: Was that the one time that you had a chance to meet him? Had you met him before?

Netsch: I had met him, I think at airports a couple of times maybe before that, but he didn't really know me terribly well. Of course, (laughs) I didn't know him, I suppose, except everybody knows the president. I can't remember what I said in my little talk while he was there, but whatever it was, he sort of liked it. (laughter) I think he was pleasantly surprised because I had some good humor in it also, and it probably took a good-natured swipe at him for being so late. I think that Evan Bayh was also there, who was hardly known at all. Oh, Cisneros was. Was that all the same occasion? I think it was, yeah.[36]

DePue: Your impressions of Clinton?

Netsch: (laughs) I think he's incredible. Number one, I like him, and I think even though he may have been swayed occasionally a little too much by someone that he talked to recently, I thought he was a good president, a superb—well, politician in the best sense of the word, and being able to connect with people. No question about that. You could see that anywhere, anytime. I'm convinced that was one of the reasons why he, quote, "managed to get by the Lewinsky

[35] Netsch's fundraiser was June 16, 1994, taking advantage of Clinton's participation the following day in the opening ceremony of the World Cup soccer tournament at Chicago's Soldier Field. The week before the fundraiser, his approval in the Gallup Poll stood at 49 percent; the week after, he was at 44 percent. This was actually up from the low point of his presidency in June 1993 (37 percent), but well below his average of 55.1 percent. John Woolley and Gerhard Peters, *The American Presidency Project*, Santa Barbara, CA, http://www.presidency.ucsb.edu/data/popularity.php.

[36] Evan Bayh was the Democratic governor of Indiana at the time, and Henry Cisneros was Clinton's Secretary of Housing and Urban Development.

thing." In fact, it was interesting at the time it was going on, sort of observing the country, and it was the media folks and, of course, opposition politicians who were just all over him and would not let go. I mean, they had him by the jugular and wouldn't let go. Despite all of that, what you sensed was that vast numbers of the American population were saying, Okay, he was a naughty boy and he should have his mouth washed out with soap, or whatever you do to naughty boys, but he's our president, and we like him as president. I think the American public, which is often described as being very nerdish and prudish and other things like that, was much more accepting. I don't mean that they liked what he did, but they said, That's not why we made him president. Which was very interesting.

I have seen him several times since then—not recently, though, I must say. Of course, this is one of the things he's great at: several times in the years after I was (laughs) not elected governor, he would be here for an event and always said, "Hello, Dawn." Knew me by name. He remembers things like that. I mean, he's quite incredible about that. But most of all, you just feel as if you're connecting with him.

DePue: So you felt the charisma when he showed up for your campaign event.

Netsch: Sure, sure.

DePue: Again, on the opposite side, Jim Edgar, and they decide to go on the attack early.

Netsch: Absolutely.

DePue: And the issues were?

Netsch: Death penalty and the 42 percent tax increase.

DePue: And guns and crime. But death penalty wrapped up into that.

Netsch: Yeah.

DePue: I want to go into some of the other things that are going on that are kind of external to the campaign itself but have a lot to do with the campaign, and to a certain extent, a lot to do with—you can say that Jim Edgar got pretty darn lucky in a couple respects during this campaign era as well.

Netsch: Let me just interrupt half a second about our timing today. I have my physical therapy appointment at 4:15 because that was what I thought was okay based on our original… Is that all right?

DePue: Yeah, I think we can go another hour, and that should give you enough time to still get to the appointment. You tell me.

Netsch: Yeah, okay.

DePue: Okay. A lot of things had been happening in the last few years before this in child and welfare issues, none more prominent than the Baby Richard case, which was really percolating in June and July of 1994. I don't know if you would want me to lay that one out or if you want to address that one yourself.

Netsch: You'd better.

DePue: In the Baby Richard case, there was a couple from Schaumburg, Jay and Kim Warburton, who had adopted this young boy when he was very young. It seems that he had come from a broken home—

Netsch: His biological father, who was a Soviet, a Russian, I think—

DePue: A Russian.

Netsch: Yeah, yeah, I do remember that.

DePue: He wanted him back, and had never known that he had a child in the first place. This thing went on in the court system for year after year after year, but it really came to a head early in the general campaign season. So you've got Jim Edgar, who is basically arguing that the best interests of the child should be more important than the rights of the parent. The courts, all the way up to the Illinois Supreme Court, and Supreme Court Justice Jim Heiple, were arguing the other case; they were arguing based on law, existing law, and saying that the parent's rights had to be honored in this respect.

Netsch: The parent meaning the biological father.

DePue: The biological father. It was an incredibly emotional issue that dominated the newspapers for quite a while, right in the midst of your campaign, as I recall. Does that ring a bell?

Netsch: I remember the issue, but you've brought it up. It's funny, I don't remember ever really being asked about it. I don't recall that it played any role in the campaign as such. I can remember discussing it with friends and others who spent more time looking at it, both at the law and the facts. In fact, I may have talked to some of the people here at our center for children and family, which would pay some attention to it.[37] I can remember some of the arguments that, unfortunately, the biological father probably did have the legal right, but it was sort of a sad state of affairs. But I don't recall that I was ever asked about it in the context of the campaign.

DePue: It doesn't sound like it had any negative effect on your side of the political ledger, but it was a very big positive, at least in Governor Edgar's mind, that

[37] In 1992, Northwestern University's School of Law established the Children and Family Justice Center.

here was something that he felt passionate about, that Brenda felt passionate about. They were adamant that this couple that had adopted this young boy should be able to retain custody of the boy, and it played very much into public opinion. The public loved his position on that, so that was an advantage that he had early on in the campaign.

Netsch: You are reminding me of this, because I may have been aware of it at the time. I don't think I was totally aware of it.

DePue: As Governor Edgar explained to me in the interview that I had with him on the subject, that got a lot more public attention than issues like taxes and death penalty and even some other fairly emotional issues otherwise would have gotten; that really galvanized public attention for a while.

Netsch: Hm.

DePue: Not your impressions, though, at the time.

Netsch: Maybe because I was just simply not aware of the extent to which it was playing. And again, I come back to the fact that—this sounds very strange, I know—when you are a candidate in the middle of a statewide, major office campaign, at least I find you're not always aware of some of the things that are going on in the world around you because they focus you so [much] on being at whatever event is scheduled, and the rest of the time trying to raise money.

DePue: One of the issues that he certainly did attack you on—and again, he's got money to do that in a serious way in June—is the death penalty. So let's go back to May 9, 1994, because John Wayne Gacy's date comes up to be executed.[38] Was that part of the debate in the campaign at that time?

Netsch: My recollection is it was part of **their** debate. (laughs) I think I did see part of an ad that the staff showed to me which may have shown Gacy, and I think showed a chair that would be the governor's chair. The message was not just that he might not have been executed if I had been governor, but the impression was left that he would have been freed if I had been governor. And I remember just (makes noise) exploding over something like that. I thought they used the issue in really what I would call an obscene, evil way, to be perfectly honest. I mean, it was a difference of opinion, no question about that. But like some other things, time is catching up with me, (laughs) and guess what? We just abolished the death penalty in Illinois.

DePue: What was your statement to the press at that time about if you were governor and your relationship with this death penalty? What were you telling them?

[38] A serial killer from Chicago who was convicted of murdering 33 people.

Netsch: What would I have told the press? I do not believe in the death penalty. I would not have imposed it. A little tougher to argue with somebody like Gacy, who you have to assume was not quite all there in some respect, but I really believe two things. Well, one I think is less important. In some ways, the worst punishment is keeping someone who has in fact committed homicide, alive in a totally confined situation for the rest of their lives where they've got to live with themselves. Execute them, and they're out of their misery and no longer have to live with whatever guilt might eventually come to burden them. Gacy, I don't know. I'm not sure whether that would have gotten through to him. I'm not quite clear about that. But I would not have executed him. (laughs) Neither would I have let him out of prison, for cripes' sake, which is what they were implying. That was what **really** ticked me off and ticked off a lot of my other friends, I think. Now, I don't mean that they said that, but they certainly left that impression, I think.

DePue: I don't have the quote in front of me, but I did see something where your position on the death penalty was a little bit more nebulous, something to the effect of, It is state law, and I will support the state law.[39]

Netsch: Oh, yeah. In that sense, yeah. But I would still have taken the position that I'm opposed to the death penalty. Actually, I even explained this to whoever would listen at the time. It was, interestingly enough, like the position that Governor [Otto] Kerner was in. Governor Kerner was opposed to the death penalty, and I must say there were several circumstances under which, I think quite legitimately, it was possible to stay the death penalty and keep somebody in prison. There was one that came along that he just couldn't find any extenuating circumstances at all, and his position was: As opposed as I am to the death penalty, I cannot by myself change the law of the State of Illinois. And so one execution proceeded while I was working for him. I remember how painful it was, because I was sitting over in my office in the state capitol and actually intercepting, in a sense, all the phone calls that were coming in from people [saying], "Don't do this, don't do this." For someone who did not believe in the death penalty, it was an extremely painful experience—I mean for the governor, the only one with power. I often said during all of that period of time, "I am opposed to it, and I will remain opposed to it, but I do understand that my position is not the law of the state of Illinois." So I didn't consider that as backing down, it was just the recognition that, as that governor had had to recognize, that I alone do not have the right to change the law.

DePue: Part of the reason it has been overturned now, and certainly a huge reason that George Ryan—

[39] Netsch's quote came in a June 10, 1994, radio interview: "So long as the law is on the books and has not been overturned, it is valid. And I would abide by that. And I think that's what I should do as governor." "Netsch Left Dangling by Death-penalty Twist," *Chicago Tribune*, October 3, 1994.

Netsch: Its cost.

DePue: —struggled with the whole issue, is there's been this series of people on Death Row who've been found to be innocent. Was that part of your thought at the time?

Netsch: Yeah, except that we didn't have that kind of a record at that time. If we'd had that record, I could have made an even bigger issue out of it. Part of the argument was the possibility of the state putting someone to death who had not earned it, who had not actually violated a capital punishment law, was something we always worried about. People would say they were sure it had happened, but we did not have the kind of evidence that developed later, and there's no question that that made a lot of difference in beginning to cut back on the support among the populace as a whole for the death penalty.

The other thing was the cost issue, which fascinated all of us who are opposed to the death penalty. Everybody assumed it was cheaper to execute someone than to keep them in prison; the fact of the matter is exactly the opposite. More and more and more, the studies that demonstrated that have come out in recent years, and so suddenly it was clear that it was much more costly to sentence someone to death and put them on Death Row than it was to keep them in prison. Those of us who have fought what we thought was sort of a lonely battle all these years sometimes say, Well, you take the help where you can get it. (laughter)

DePue: Somewhat counterintuitive, though, for the general public trying to figure out, Okay, if the guy's dead and you're not spending any money on him, how is it less expensive to keep him on Death Row?

Netsch: Because number one, especially in a state like Illinois, look at some of the guys who were exonerated even: they had been sitting there eighteen, fifteen, twenty years, so they're there a long time. The cost of the legal business that goes on around any capital sentence is just astronomical. People literally have taken examples and costed them out, if you will, and demonstrated that it's much more expensive to put someone to death, because it takes so long and there's… And the fact that we do spend so much money to try to make sure that we're right, even though we obviously have not been right in a lot of cases, is an indication, I like to think, that we're still not really quite comfortable about our commitment to the death penalty in this country. And look what's happened in most of the rest of the world.

DePue: Let's go back again to the campaign. We're talking about the June timeframe. Talking to some of the people who were very much involved with the Edgar campaign, their thought was, We've got a good lead against Dawn Clark

Netsch as we're going from May to June, and if we really run an aggressive ad campaign at this time we might be able to put her down early.[40]

Netsch: Oh, that was quite clear what was happening, and we knew it, and we couldn't do anything about it because we didn't have any money.

DePue: So the issues—and we've already talked quite a bit about these—attack hard on this 42 percent income tax increase. That was their verbiage—

Netsch: They didn't just say "income," they said "a 42 percent **tax** increase," and they completely left out the fact that a **big** hunk of property tax relief was part of the package as well.

DePue: Were you surprised that they left that out, or just angry that they left that out?

Netsch: Well, angry, disappointed. This is, I know, hearsay, but Paul Simon and Jim Edgar were sitting together at a lunch or dinner or something some years after this, and I guess Paul was sort of berating Edgar for his attack on all of this. As reported to me, Edgar said to Paul Simon that he knew they were—he didn't use the word "misrepresenting"— overkilling on it, but the problem was she was just ahead of her time. That does not make me happy either.

DePue: Soft on crime.

Netsch: Soft on crime. Big on taxes. That's all they needed.

DePue: Big on taxes. And linking together soft on crime and against the death penalty. So those were the three things they attacked you on.

Netsch: And the soft on crime thing is even funnier because I ended up being the one who spent hundreds of hours negotiating what became Jim Thompson's big thing, which was the Class X bill. I chaired the criminal law committee at that time and spent literally, oh, I can't tell you how many hours, trying to get that worked out so that—

DePue: That was about 1980? It's fairly early in Thompson's years as governor. Maybe even before then.

Netsch: No, it wouldn't have been before then, because I don't think I was chair of… Somewhere around there, yeah.[41]

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[40] See Edgar's chief of staff during the campaign, Jim Reilly, interview by Mark DePue, August 11, 2009.

[41] In November 1977, the state legislature passed a bill that grouped "rape, deviate sexual assault, aggravated arson, armed violence, armed robbery, treason, 'heinous' battery with intent to harm or disfigure permanently with caustic substances, certain hard narcotics transactions, calculated drug conspiracy, and aggravated kidnapping for ransom" under the new category of Class X offenses. Conviction of a Class X offense came with a mandatory six-year minimum sentence. *Chicago Tribune*, November 23 and 24, 1977. Jim Edgar, June 9,

DePue: But with Class X, I guess to continue your point, once you passed that legislation, the prison population starts to go up, doesn't it?

Netsch: And that's precisely what I told people when I presented the bill on the floor. I said, "Okay, we've worked out the kinks as best we can in this bill, and it is still very much of a mandatory minimum sentence, a mandatory sentence, a tough sentencing bill. It is exactly what you want, but I only ask you to get ready to pay for it, because it's not me just saying this, it's the prison people in the Thompson administration who are saying there's **no** question, this is going to enormously increase the number of people in prison, the length of time they stay, and we're going to have to pay for it.

DePue: Getting back to 1994, now we're in June and you've got very little money. But was there a thought that you wanted to get out as early as you could and challenge these ads?

Netsch: Oh, yes. We knew we had to because we knew we were being buried by this negative onslaught, and it was a real onslaught. Again, I didn't see the ads on television, but I was told… And all negative.

DePue: I've got a couple ads that I want to read, just transcripts from Edgar ads, but they don't really fit into now; they come in later, in the October, November timeframe, and I'll read them at that time. July seventh, though, perhaps another one of those things in retrospect you can look back, and Jim Edgar got lucky. Except on that day in particular, he probably felt pretty unlucky, because that's the day he went in for major heart bypass surgery.

Netsch: Yes, right.

DePue: Tell us about that.

Netsch: My understanding is that the first television ads had finally been put together and were at the stations, ready to be played. I don't know whether it was a Sunday night or a Monday night or whatever it was, but they were ready to be played, and then we got word that he had been taken to the hospital with heart bypass problems. We had to pull the ads, I mean, don't show them.

DePue: Whose decision was that?

Netsch: Me.

DePue: You directed the campaign staff?

Netsch: Yes. Well, I'm not sure if any of them would have argued with me on that, really, but there was no question. I'd been through bypass with Walter, so I

2009, 244-246; Jim Reilly, August 10, 2009; and Howard Peters, December 21, 2009. All interviews by Mark DePue.

sort of knew it directly in that sense, and I knew it was a terribly serious thing, and you just don't do that.

DePue: I would have to imagine that your emotions are going a couple different directions. You know Jim Edgar personally, and yet you're in the middle of a pretty rugged political campaign as well. What were your thoughts?

Netsch: Probably the main thing is you don't want that to happen to anyone, and especially someone you know. The fact that we were in a campaign was just sort of another element of it. But I wouldn't wish that on anyone, that kind of a trauma, if you will.

DePue: Going into that particular event—again, July seventh—the state's supposed to have a budget by that time, and there still had not been a budget. It was another one of the series of battles that Edgar was having with Mike Madigan in particular, the Democratic Speaker of the House at the time, and they hadn't reached any kind of agreement. So now he's got the opportunity in his hospital room, and he gets out of his hospital bed and is able to wave out the window and say, Look, we've been able to sign the budget for this next year.

Netsch: I'd forgotten that particular incident, but yeah.

DePue: Did that play into the campaign at all from your perspective, that there was yet another year that Edgar was struggling to get any kind of a budget passed?

Netsch: Yeah, it's part of the overall fact that no one was **really** addressing the state's long-term fiscal structure and how it should be and how it could be fairer and how it could also support education in a better way. So they went through all this often-nickel-and-dime stuff. I think the first year I was comptroller—when they finally reached the budget accommodation and Edgar was saying, They signed it; it's a balanced budget—I said, "Well, if that's a balanced budget, it's balanced on quicksand and it's already beginning to shift," because there were a lot of games that got played in that respect. That's another thing that always bothered me: not being upfront about the state's fiscal condition. And of course that was what really bugged me over time on the unfunded pension liability.

DePue: I'm going to speculate a little bit, and I'm going to speculate by saying this is the kind of substance that you wanted to be out on the stump talking to the Illinois public about, and explaining to the Illinois public, and your campaign staff would say, Senator, you can't do that. You're going to put the public to sleep on that. They don't want to hear this. Was that part of the dialogue?

Netsch: In a sense, probably, yeah. Well, not just because you're going to put them to sleep, but because I was taking some positions that were not exactly the most popular positions. And, you know, they accepted that from me. That was why I was running. I made it clear from the beginning, and there wasn't anything

they were going to be able to do about it. But I think they would have preferred that I talk about something more cheerful. (laughs)

DePue: What would that have been?

Netsch: I don't know. I did finally end up—some of my speeches, I had a good line—are we still in the primary or in the general?

DePue: No, no, we're in the general.

Netsch: It must have been a reference back to the pool ad, which was quite well known by then, even though it had been back in the primary. Before some groups, particularly if they were not necessarily the most sober—I don't mean sober in the literal sense, but serious-minded, substantive groups—I would somehow end up saying, "If you make me governor, I'll put a pool table in the basement of the mansion!" (DePue laughs) I thought that was funny enough that maybe it would make my staff a little bit happier, but I don't know how happy they were. (laughs)

DePue: Again, we're talking about June and July timeframe, in the midst of the main season, when Governor Edgar has a little bit of trouble with his lieutenant governor. It had been Bob Kustra the first term, and suddenly Kustra announces he's going to leave the lieutenant governor position and he's going to be a radio announcer.

Netsch: Ah, yeah. Now, when did that happen?

DePue: I think it was in June of '94.

Netsch: Of the campaign year?

DePue: Yes.

Netsch: Okay. I couldn't remember the timing on that.

DePue: Edgar had to sit down and talk seriously with Kustra to convince him that there would be an important role for **his** lieutenant governor to play in the second administration, that he should stick around. Whether or not that has any effect on the general campaign itself, I'm sure it's the kind of thing that the political pundits love to write about and to buzz about, if you will.

Netsch: Yes.

DePue: Did Edgar's health problems, then, change your short-term strategy? And what was the strategy emerging from that, when you could go back to being aggressive again?

Netsch: Of course, I probably wasn't as aggressive as I ought to have been anyway. I had one commitment to talk to a group of community college students someplace outside of Chicago, and we thought that would be okay and I would just stay away from any political stuff. Then it was a matter of slowly, over a period of time, depending on how his condition was reported, beginning to get back into campaigning. But I don't remember, honestly, how long it was. And it was sort of a gradual thing, maybe slowly adding a few things but staying away from anything negative.

DePue: Do you recall when your campaign started to hear about some of Edgar's problems in the Chicago Toll Authority, specifically with Bob Hickman?

Netsch: No, I don't remember when. You'd have to ask the people who ran the campaign. (laughs)

DePue: Certainly by the fall season, that was becoming fairly well known. Can you give us a little bit of the background of the Chicago Toll Authority scandal? Do you know any of the particulars now about that?

Netsch: Oh, I haven't thought about that for a long time. His person, who, as I recall was a major fundraiser—

DePue: Bob Hickman was an old friend from the Charleston days, and he was one of his main campaign fundraisers.

Netsch: Yeah, and he had been made executive director of the Tollway Authority, and all sorts of terrible things were happening there. He wasn't really stealing money, I don't think, but he was—

DePue: Seriously abusing his privileges.

Netsch: Thank you. That's a nice way of putting it. (laughter) Seriously abusing his… I hate to tell you, but this shows how little I am into the negative part of campaigning; I can't even remember some of this stuff that clearly. I think Edgar kept declining to fire him or ask him to resign for a long time and then finally had to.[42]

DePue: And that would have been early in the campaign season.

Netsch: But nothing ever—I would say there was that and there was that MSI thing, which I have a feeling was pretty un-nice.

DePue: But none of that emerged until well after the campaign.

Netsch: Well, I think it had been talked about a little bit among some of the reporters who covered it. One thing I remember is somebody writing about the fact that

[42] On the process of replacing Hickman, see Kirk Brown, interview by Mike Czaplicki, December 22, 2009.

Edgar had attended a dinner at which something like a two hundred and fifty thousand–dollar contribution was talked about, and maybe committed, in the context of this MSI thing. Then when he was asked about it later, he didn't remember anything about it. And I thought, nobody else could have gotten away with that. (laughs) And it was never followed up on.

DePue: But most of the MSI coverage about the scandal was—

Netsch: After the campaign?

DePue: —late '95, '96, and especially into 1997, when it was really coming to light. So I don't know that any of that was being discussed in a public sense during the campaign itself. What was addressed was the Chicago Toll Authority. I don't know if you were aware that his legal advisor, Arnie Kanter, resigned early, maybe even a little bit earlier than that timeframe. But let me just quote what Peter Giangreco said about this, that "He"—"he" being Edgar—"promised to run the most ethical administration in history, and it's been one of the worst. This administration is a poster child for the plundering of the public pot."[43] Your own quote, and this would have been quoted in the *Tribune* on September fifteenth: "The Tollway scandal has cost us millions, and it's Jim Edgar's responsibility."

Netsch: I think that's a fair statement. I would not have said anything quite as strongly as Peter did, probably, (laughs) but that was his business.

DePue: And here's another quote that was attributed to you about the Chicago Tollway scandal: "The problems are Edgar's fault because it happened on his watch."

Netsch: Not just on his watch; it was his guy! (laughs) But very little of that ever really seemed to wash off on Edgar. I mean, he had a good, strong, Teflon coating on him.

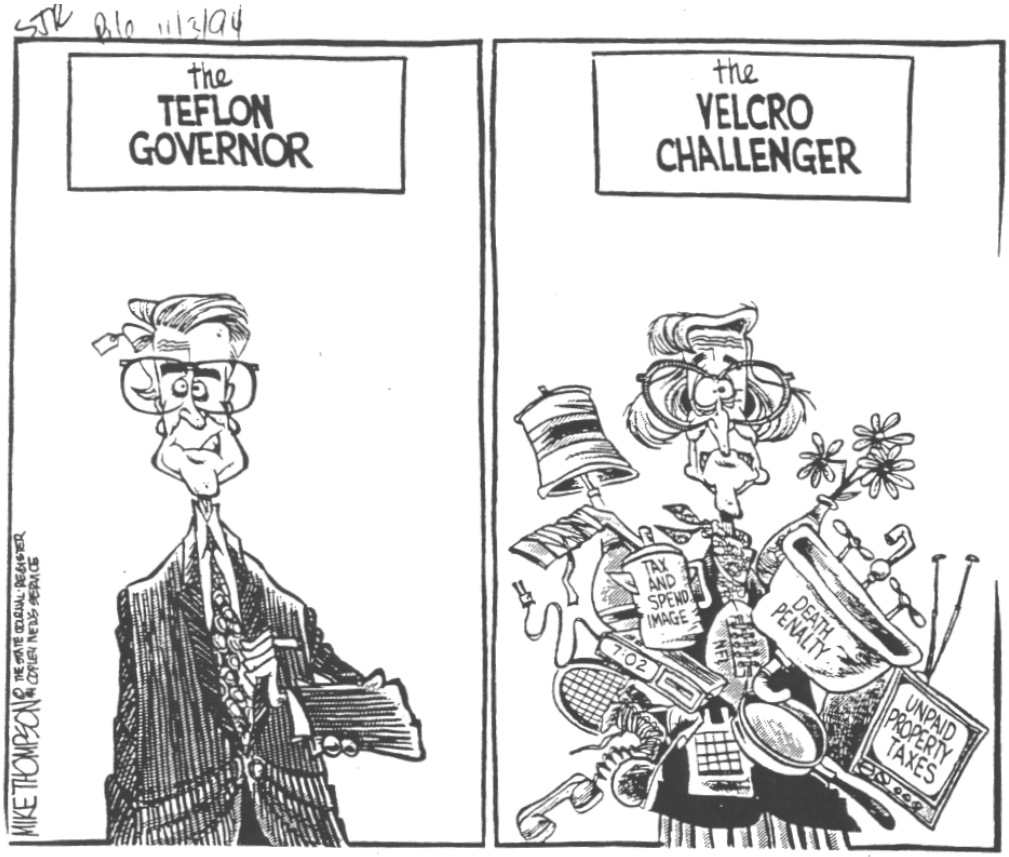
DePue: Speaking of that, I pulled out some political cartoons, and I'll show you the one down here at the bottom. This is one of Mike Thompson's, who was working for the Springfield *State Journal-Register*.

Netsch: (laughs) Oh, for heaven's sakes.

DePue: It's rather appropriate for what you just said, because it's got Edgar and it's showing him with a Teflon coating, and what does it say for you?

Netsch: "The Velcro challenger."

[43] Giangreco was Netsch's press secretary.



DePue: And what are the things that are managing to stick to you?

Netsch: "Tax-and-spend," "death penalty," "unpaid property taxes," "seven"—I don't even know what that one is.

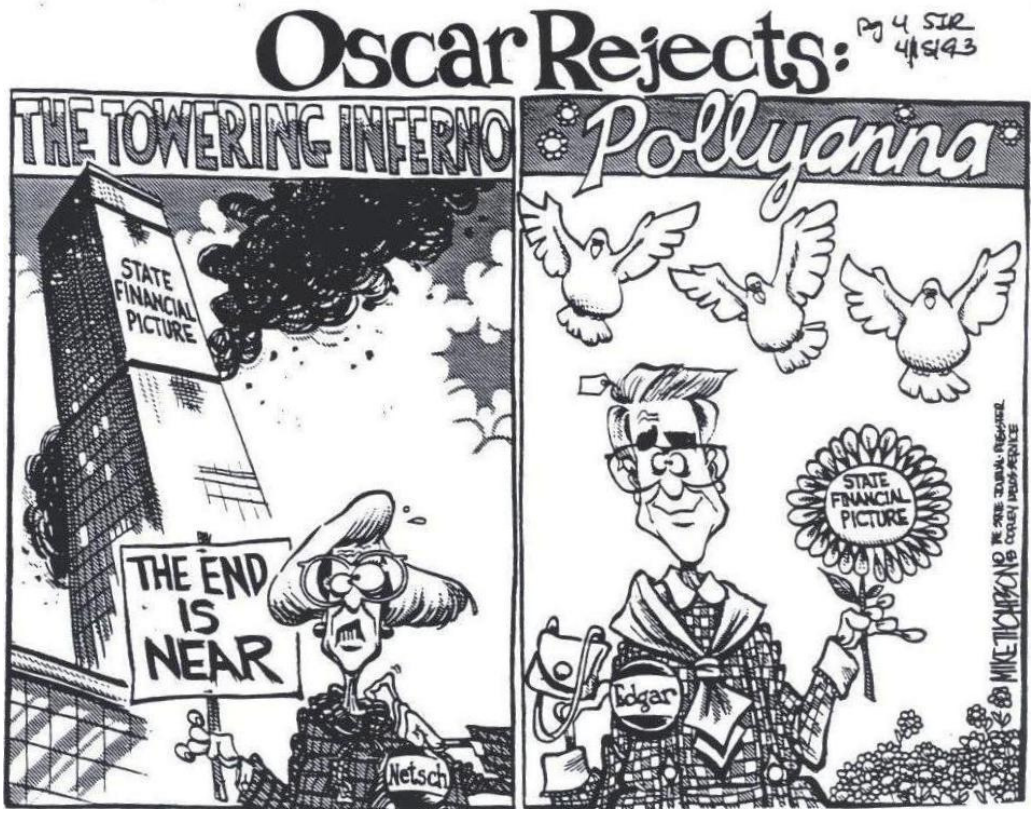
DePue: It might have been cut off at the bottom there.

Netsch: Yeah. There's a phone hanging down and something else in there, NFL. I don't know what that's about. Well, isn't that interesting? I never saw this, of course. Gee, they really—I look terrible in most of those things, don't I?

DePue: Well, they're not meant to be flattering. (laughs)

Netsch: No. The only one I still have, which occurred much later, is when he finally came out for the Ikenberry plan, which was the closest thing to my plan that anybody else had done. There was a cartoon of the two of us standing next to one another or maybe in separate things, and he was saying, "Take that smirk off of your face," (DePue laughs) something like that. Goodness, "The end is near." And there are the doves—oh, that is funny. Yeah, I never saw any of

these things. (laughs)



DePue: Again, they're from the Springfield paper. But the one you're talking about here is contrasting the two campaigns. On yours the heading is, "The towering inferno, the end is near" and you've got what looks like the Hancock building with "state financial picture," and there's smoke billowing out of it. Then the other one is showing Edgar holding this nice flower that's got "state financial picture." It's a very Pollyannaish view, and that's the name of that one as well. So sometimes, at least, that captures the public perception of how these campaigns are going down.

Netsch: Oh, yeah, yeah. And guess who was closer to the truth? (DePue laughs) I was. (laughs) I'm sorry.

DePue: You do, though, eventually get back and go back onto—I want to use the word "attack" or "negative"; you might want to say that it got more aggressive in terms of challenging or responding to some of Edgar's campaign ads by the time you get into Labor Day weekend.

Netsch: Yeah, I hope so.

DePue: But by that time, he's got a solid twenty-point lead. What was the discussion in your campaign of how you can overcome all of that in what looks to be a Republican year?

Netsch: You'd have to ask some of the campaign people that more. I guess I was still focused on why I was running and what I felt needed to be done, which was to tell people both the fiscal challenges we faced—because we did face fiscal challenges at that time, too. Remember, I'd been comptroller. We'd been in a state of crisis for much of those four years. Things were turning around a little bit then at the very end, no question about that. The economy nationally was beginning to come back a little bit, but we were still deep in trouble, and of course we still had our unfunded pension liability problem. But I'd been sitting on a budget, a structural thing, which meant that frequently I had $500 million of unpaid bills that were ready to be paid but no cash to pay them. I think the highest I ever hit was 980-something or something of that sort. Now, by today's standards, that's peanuts, but by those days' standards, it was pretty serious; we were hurting people all over the state by not being able to pay our bills on time. So that was still a major problem, and to pretend that it was not there was not the right thing to do.

My feeling was that I was there to try to help people understand, and ideally to understand what their options were, what their choices were. I had made mine, and I was just trying to get people to accept the basic facts, and then ideally, or hopefully, maybe to agree with me and my approach, but if not, to have their own approach. I did not consider the campaign on the other side a very honest one; A, because of the two things that they focused on entirely, and B, because I think it did not really tell the state of Illinois' well-being, if you will, honestly. And I think that's what campaigns are for, sorry about that. So I'm sure the campaign staff were sitting there day after day after night after night, scratching their heads saying, What the blank do we do now? (laughs) All I could do was continue with what had put me there in the first place.

DePue: To put you on the spot in terms of the fiscal challenges: Again, there's probably nobody who's sitting in a better position to really, truly comprehend the fiscal challenges than the comptroller of the state, who has to pay the bills. Was there any significant improvement from January 1991, when Edgar entered as governor and you started as comptroller, to now, in the midst of the campaign season, three and a half years later?

Netsch: We had had some very unpleasant revenue years, not in the sense that we've had again in this current thing, where revenues actually were below what they had been the year before, but they were **way** below what projections and what historical precedent would have told us. There had been for decades sort of an average revenue growth, and we were not reaching that; we were not reaching predictions. So that had been a major part of the fiscal crisis of the nineties. What was happening—I can't tell you right now; I have to go back and look at charts—I assume revenues were picking up. There was no question that that recession of the early nineties was beginning to fade, not just in Illinois, but fade nationally—or to diminish, perhaps is a better term. All over, things were looking a little better economically and fiscally. In that sense, things

were better. And the lid had been partially held, but not totally, on spending during that period of time also. So we were, I would say, somewhat better off.

But see, that didn't take into account some of the things I was so aware of and so concerned about, and a lot of that was the unfunded pension liability, which is why I felt so strongly about it. People would just look at the operating cash budget and say, "Gee, we got more revenue this year than last year and so we are picking up." Or a couple of times, for purposes of our bond rating, I was asked to allow the June thirtieth—which was the end of the fiscal year—fiscal balance to remain at a reasonable level so that the bond rating people would not all of a sudden put out dire warnings. That, of course, as I think I've explained earlier, was a totally manipulative thing; it just meant you didn't pay some bills for a while. You'd push them over until after June thirtieth. I know I did that at least one fiscal year, and maybe two fiscal years. It's not entirely honest, except when you say that's what you're doing and you take into account the fact that those bills are still going to have to be paid, but they will just be paid after June thirtieth rather than before June thirtieth. That was another reason why I was always so upset about the lapse period spending, which was three months, and which consisted of bills that were attributable to the prior budget but were literally being paid out of revenues that were coming in at that time. I was always trying to do something about changing the lapse period spending. So the answer to your question is, yes, we were getting better, but that was because the recession was diminishing, and so the state was in better condition than it was. Again, my argument would be, Fine, I hope that's happening, but it also does not take into account the debts that had been built up.

DePue: You can challenge this one, and I suspect you might, but the general public in Illinois at that moment in time felt like Governor Edgar had done a good job of managing that crisis, the financial crisis that occurred in '91 and '92 especially.

Netsch: I expect that's probably true. And I don't fully agree with that by a long shot. I think some of that was helped enormously, not just by what was happening, but by the way it was reported to be happening. I think he had a very favorable media presence, if you will.

DePue: Was there any serious attempt, then—I understand that there was a meeting September twenty-eighth in terms of retooling the campaign—to maybe tweak your image for the public as you get into those last couple months, the crucial months of the campaign. Just to tweak your memory here, apparently Richard M. Daley and Mike Madigan, Neil Hartigan, and others came in and sat down, and there was a discussion about what to do to adjust the campaign.

Netsch: Was I there?

DePue: I don't know. I must have gotten this from Cynthia's book; it might have been from other articles as well. But you don't recall that one at all, it sounds like.

Netsch: I sort of remember that there was such a meeting. I swear I wasn't there; (laughs) I don't remember being there at all.

DePue: One of the things that you're fighting: here's a political pundit, and again, I can't recall where I found this quote, but the quote is, "Between the two of them"—so between Edgar and Netsch—"you'd have a hard time getting enough energy to power a sixty-watt bulb."

Netsch: I resent that. (laughter) Gee, I thought I had a lot of energy.

DePue: You'd be willing to admit that that was the case for Jim Edgar, though?

Netsch: Yes. Yeah, I don't think he ever came through. And I don't consider that a bad criticism of him, necessarily, just that's the way he was. He was just sort of the nice guy next door.

DePue: Part of that, I'm sure, is a response to the previous governor, because with Jim Thompson, that was probably never addressed; that kind of quote would never be attached to him.

Netsch: Absolutely, yeah. No question about that. That reminds me of a funny story—which doesn't involve me, incidentally—back in the days when we had Springfield's version of the Gridiron Dinner, where the reporters would put on skits and make fun of everybody. This was after the Senate race in which Adlai Stevenson and George Burditt were the two candidates. I remember the skit. They were sitting up there as if in a debate, and both them—not only the audience—but both of them were falling asleep (laughter) on one another's shoulders. They were not exactly stimulating in that sense. Although Adlai was such a good senator, which he never got enough credit for.

DePue: So we're now into the heat of the campaign. You had earlier said that, as you recall, you didn't have any negative ads or attack ads?

Netsch: I don't remember them anyway, no. In the general election?

DePue: Yes.

Netsch: Okay. You're going to find me some, right?

DePue: Yeah. I've quoted to you a couple times before, but I don't know that it's from the ads themselves. But I know that there is a baseball ad where you charge bad fiscal management and the kind of thing we were just talking about, and I'm sure that the Edgar campaign felt that baseball ad was negative. Do you recall that ad?

Netsch: Not specifically. I kind of dimly remember that there was something on using baseball. Although, I know this is what always happens with candidates: To suggest bad fiscal management is a very substantive thing; it's not a negative in the sense that these things get sort of personal and not related to something that is a major responsibility of the office. Because I thought there was bad fiscal management. We had a lot of trouble with the governor's office on a lot of things, as a matter of fact.

DePue: There was another ad that was labeled the "Wrong Track" ad, and charges that Illinois's poor showing in education was forty-eighth-worst state. And again, this would be, from their perception, a negative ad.

Netsch: But it was true. (laughs) I'm sorry. I mean, that's what my whole campaign was about.

DePue: I suspect where you would say, "That's a negative ad," they would say, "But that's true."

Netsch: Yeah, but what's true about my letting Gacy out? Or actually, what's true even about the 42 percent? Now, they did know that that was wrong, that was not accurate, and they later acknowledged it. In fact, one of the major Republican legislators acknowledged that to me also, that they understood that.

DePue: I don't want to speak for their campaign, but I believe that they had bigger concerns about your use of the Tollway scandal to damage Edgar.

Netsch: Yeah, that probably would legitimately be labeled as a negative thing. Now, I could take the position that he did put the guy there, he was one of his major fundraisers, it did happen on his watch, and it's the sort of thing that you've got to take responsibility for, but to me it's not quite the same thing as saying he just was not a good fiscal manager, (laughs) which I think is very substantive.

DePue: Well, you don't like their portraying your tax discussion as a 42 percent increase, but again, it's a substantive issue?

Netsch: The fact that there's a tax increase. But to label it a 42 percent tax increase was not accurate, and they knew that.

DePue: Okay. I want to get your reaction to two of the campaign ads, Edgar ads, later in the campaign. I know you'll have a reaction here. This one is from "Glass Houses"—that's the name of the ad: "Dawn Clark Netsch wants to abolish the death penalty, and Netsch has a plan to increase the income tax by 42 percent. Instead of telling you her plans, she runs negative ads attacking Jim Edgar's integrity. The facts: It was Edgar who ordered the state police to investigate the Tollway, then Edgar replaced Hickman and installed new professional management to reform the Tollway. The press said, 'Edgar has

shown good judgment.' Dawn Clark Netsch: hiding the facts, hiding from the issues, hiding behind negative TV."

Netsch: Hiding? Good heavens, they must think I'm—I mean, I'm talking about the very things you're never supposed to talk about in a campaign, saying, "This is what you've got to do if you're going to bring the education system up in this state and have a fairer tax structure." That's funny to say I was hiding from issues. Gee whiz. I was all over the place on that. In fact, my staff tried to get me to shut up on some of this stuff. Even on things like—gay rights probably came up. Well, the ERA was never an issue between us, I guess. A lot of things on women's issues. What were some of the other things that they wished I would sort of tone down or shut up a little bit? (laughs) I find that sort of interesting.

DePue: Motor Voter Bill?

Netsch: Motor Voter. **Oh**, yes. They were terrible on that. That was **very** substantive.

DePue: You need to flesh out that issue for us.

Netsch: The federal government, Congress, passed a law that almost mandated allowing people to register to vote at federal facilities; like, if they were signing up for, not Social Security but for what we then would have called welfare, for Medicaid or for the income assistance program.[44]

DePue: Food stamps?

Netsch: Or food stamps. I'm trying to remember whether the original Motor Voter Bill also specified if you were signing up for your driver's license, because that's a state function, not a federal function. I think it did. The whole idea was just to make registration more accessible at places where public services were being made available. But the states had to do something to implement that because the states run the election system. The Edgar administration would not. They fought it all the way and ended up with a court action that, in effect, was trying to mandate them to do that. I'm trying to remember what the penalty was if you did not accommodate the congressional act. In any event, they stood very firm, fought it all the way through the courts, and then eventually lost and so had to comply and implement.[45]

[44] The National Voting Registration Act of 1993 (NVRA) required states to allow people to register for federal elections when they applied for a state driver's license or federal welfare programs, such as Aid to Families with Dependent Children (replaced by Temporary Assistance for Needy Families in 1996) or Food Stamps (which was renamed Supplemental Nutrition Assistance Program in 2008).

[45] The NVRA took effect January 1, 1995, and Illinois was one of three states the Department of Justice sued for noncompliance. In March 1995, U.S. District Judge Milton Shadur ordered the state to comply with the law, and the U.S. Court of Appeals for the 7th Circuit upheld his decision three months later. The suit was also notable for the involvement of two major Democratic political figures at an early stage of their careers: the future governor of Massachusetts, Deval Patrick, was the DOJ's assistant attorney general for civil rights and

Now, that was a **not-nice** thing to do. The assumption was, only poor people would take advantage of being able to sign up to vote at the same time that they were signing up for some form of public service, and those people would all vote Democratic. Well, that's not 100 percent true, but it doesn't make any difference whether it's true or not, by gum. Either you believe in making voting accessible and possible for **all** people, or you don't. That was very, very bad, what they did in fighting that Motor Voter Act.

DePue: So an issue during the campaign? It didn't raise to the level of some of these other issues, but it certainly was part of the public debate?

Netsch: Yeah. I can't remember how much we got it into the debate. I felt very strongly about it, obviously. I don't remember the timing that well, whether it was still sort of dragging on during the campaign and they were just kind of resisting but not fully acknowledging that they were resisting, but that was bad.

DePue: Any other issues that you recall right now?

Netsch: Not at the moment, no. I'm sure there were some.

DePue: Here is another ad. Again, this would appear pretty late in the campaign season, certainly after your campaign was able to get out some responses to his June blitz campaign. This one was labeled "Eight Ball," so it's alluding back to your straight shooter ad: "Dawn Clark Netsch: She may shoot straight at the pool table, but she isn't shooting straight with you on taxes. Fact: Netsch's tax plan calls for a 42 percent increase in income tax rate. Fact: Netsch voted twenty-three times to increase local property taxes without a vote for the people. And now we learn that she and her husband didn't pay property taxes on their Gold Coast condominium for four years. Netsch on taxes: She plays, you pay. The closer you look, the clearer the choice."

Netsch: I didn't see that ad, I guess. Well, the first part we've all been through. The latter part—

DePue: But wouldn't it be true that you did call for a 42 percent increase in income tax?

Netsch: Except that it didn't take into account some of the things that were going to—

DePue: The property tax thing.

Netsch: The property tax thing and the fact that I was also advocating at the same time a change in the personal exemption, which **inversely advocated**. That was

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represented the federal government, while Barack Obama represented ACORN, one of several advocacy groups joining the suit against Illinois. *Association of Community Organizations for Reform Now (ACORN) v. Edgar*, 56 F.3d 791 (7th Cir. 1995); *Chicago Tribune*, March 29, 1995.

part of the plan, which meant that people at lower to middle income would have had a higher write-off on their personal exemption so that they would not have been getting the full effect of the 4.5 percent income tax. They never acknowledged that either.

DePue: But that part of the ad you'd heard plenty of times before.

Netsch: Oh, yeah, yeah.

DePue: But the issue of Walter's taxes?

Netsch: That was a very sensitive issue. He had bought this artist's studio over in Sandburg.[46] Despite the fact that we had a very smart lawyer and a very smart real estate agent, and presumably we are smart, nobody had noticed that once we sign—this was the first time we'd owned a condominium—that we didn't get any property tax bills. In fact, the first time I became aware of this I said, "That's included in the monthly assessment, isn't it?" It is not. And I had never bothered to—

DePue: Did you and Walter have a tax attorney who was preparing your taxes?

Netsch: Oh, yeah. Arthur Andersen, which was the top of the line, and a lawyer from a major firm. Nobody caught the fact, including me, that we weren't getting a property tax bill. Then we found that somebody was buying the property taxes, and I said, "What in God's name is all this about?" Got a hold of the attorney; they traced it through. A property tax bill had gone to some place on the South Side of Chicago, which had nothing to do with us. We had not, in fact, received a property tax bill. Now, did we owe it? Of course we owed it, but it was off our radar screen. So the **minute** we found out about this, obviously the lawyers took care of getting it all paid up and everything. It was very embarrassing. It was Walter's event, I mean, it was his place that he bought, but we both sign everything, and everything is in joint tenancy. But none of the folks who were smart enough to put this transaction through were smart enough to follow up. (laughs) So there was no question. Now, at the same time, of course they forgot about the fact that—well, I don't think you call that the Gold Coast if it's Sandburg.

DePue: But "Gold Coast" plays so much better with the public.

Netsch: Of course. That's why it was done. And nobody mentioned at the same time that we were paying thousands of dollars a year on property tax on the home that we actually lived in. But that was a very painful thing, and it was painful for me because it had completely escaped me; I had paid no attention to it. Walter would not have known the difference because that was not the sort of

[46] Carl Sandburg Village was a 1960s urban renewal project bounded by North Ave and Division Street, and Clark and LaSalle Streets. It borders the Gold Coast along Clark Street and was converted to condominiums in the late 1970s.

thing that—he was designing and creating and not paying attention to… But the fact that nobody caught it was really quite disturbing.

DePue: How did the Edgar campaign become aware of it, then?

Netsch: Every campaign does quite negative research. I assume at some point they must have found that somebody had then filed to buy the taxes, which means that they buy those and can maybe eventually get it back. I spent a long, long time with an investigative reporter for one of the papers—I think it was the *Sun-Times*—one of the really nasty investigative reporters, just showing him where we learned the property tax bills had gone, which was like on the far South, West Side or something, all the documents and everything. Their editor said, All right, it was a stupid mistake, but it was a mistake, to heck with it, and they wouldn't even run the story. So the Edgar people then got somebody who was quite willing to go on television and run the story. Walter never got over that. He absolutely **never** got over that.

DePue: Which one of the two of you then were hurt more? Was it Walter?

Netsch: Both of us, I guess, really. He was terribly upset about that. He said, "The idea that I would not pay my property taxes!" Of course, as soon as we knew about it we caught up on it. But that was a very, very, very painful experience.

DePue: Was that the low point in the campaign?

Netsch: Oh, I don't… What are low points? (laughs) I suppose in a sense it was, but… Although Walter also never got over the fact that they did a video of me, which I guess was used during the campaign—I never saw it, to tell you the truth—and he was not in it. He thought that was not very good either. (laughter) He was very annoyed about that.

DePue: Was it especially hurtful that they ran this kind of an ad even though they were up twenty points in the polls, or did that make no difference to you?

Netsch: That makes no difference.

DePue: Let me ask you this. As part of the strategy, did you want to run aggressively throughout the entire state or to focus your energies on where the votes were up in the northern part of the state, in the suburbs and Chicago itself?

Netsch: Maybe a little bit of both. You obviously have to spend a little more time where the voters are, which is mostly in the northern part of the state, but I felt very strongly about being as many places as I could in the rest of the state, in part because they often do feel like—what's that marvelous

expression—Forgottonia.[47] One of the things that I used to say, and still say to people, as a matter of fact, is that it is so much more fun campaigning downstate than it is up here. There are probably a bunch of reasons for it, but one is, when you're downstate, most of the time they really seem to be very happy to see you, and they're so nice, and you don't sense the sort of hostility and antagonism and tension that you sometimes feel in the political atmosphere up here. But most of it is you just seem so welcome. It's very hard to explain why it makes you feel so much more at home and so much more comfortable. And partly because I just enjoyed it so much more, I wanted to be downstate as much as possible. Of course, "downstate" takes in everything except the Chicago metropolitan area. I think it was important to people in those areas that once in awhile—I can remember once in a while someone even, particularly in a smaller-town area, perhaps saying, You know, we haven't seen any statewide candidate for eight years or ten years, or something like that. That just doesn't seem quite right. But in the end, you do have to concentrate somewhat more on where the largest number of voters are. I mean, that's sort of understood.

DePue: We talked about this a little bit when you were comptroller and running statewide as well, that you thought you connected better with the people downstate than they would have ever expected.

Netsch: I think that is true. I'd like to feel that way. I got told that from time to time by people who obviously felt comfortable enough at some stage later to tell me that I was doing better than anybody would have ever expected. (laughs) But I also sort of felt that as I was going along, and I must say that made me feel good. Because I remember some of my friends—Vince Demuzio, who of course was a dear, dear personal friend, and state party chair at one time—and Vince said, "Oh, you're going to go over like a lead balloon down here," (laughs) in his usual candid way. And there were others who had the same feeling, I think. I'm sure there were places where I did go over like a lead balloon, but they—

DePue: But that sounds like a personal challenge to you, too, doesn't it?

Netsch: Yeah, yeah, and it is a little bit of that also. But I think they all assumed, because I was Chicago and well-educated and a lawyer and spoke very distinctly and all that sort of thing, that somehow I was just never going to be able to connect.

[47] Term that emerged in 1971, when a Western Illinois University student named Neal Gamm called himself Governor of Forgottonia and declared the independence of sixteen western counties to protests perceived funding inequalities, particularly for roads and bridges. Gamm did not think of the idea on his own, but was recruited to play the role by Jack Horn and Macomb Chamber of Commerce board member John Armstrong. James D. Nowlan, "From Lincoln to Forgottonia," *Illinois Issues* (September 1998), 30; Nathan Woodside, "Gone But Not Forgottonia," *Peoria Journal Star*, December 31, 2010.

DePue: But obviously at a certain level you did do that. I want to ask you about a bus that you took, and apparently it was a school bus.[48]

Netsch: It was a school bus.

DePue: How did you end up with a school bus?

Netsch: I don't know how they did it. You're asking me the kinds of questions that as a candidate, I don't know. They either rented it or bought it from a surplus place. I mean, we weren't using a school bus that we were not entitled to use. I'm sure of that; they would never have done that.

DePue: Did you have the endorsement from the Illinois Education Association?

Netsch: I had endorsements from the unions, yes: IEA [Illinois Education Association], the IFT [Illinois Federation of Teachers], and some of the other education groups.

DePue: As I understand it, that's where you got your school bus.

Netsch: But they don't own them, I don't think, do they? Well maybe they do.

DePue: Well, they could have easily purchased a used school bus to donate to the campaign.

Netsch: Yeah, okay.

DePue: Do you recall the response you got down in southern Illinois? This is a very leading question because I've talked to Mike McCormick, who ran Edgar's southern campaign, and Mike told me that he made the very deliberate choice of challenging you at every single stop along the way. So do you recall any of that?

Netsch: I had forgotten. I do remember that there were some folks at some of the stops. I don't remember that it was every one. Because I can sort of remember; I got to where I could identify them after a while, I think, and I would either challenge them with something or point out the fact that the Edgar team was there. I do remember doing that a few times. But that doesn't bother you after a while.

DePue: The one he was especially proud of was at Mt. Vernon, where he found out that Chicago schools had managed to lose all kinds of snow blowers, so he arranged to have everybody he could round up show up at the event with their snow blowers in tow.

[48] Mike McCormick, interview by Mark DePue, July 22, 2012.

Netsch: (laughs) I'd forgotten that. I don't remember that very specifically. I'm sorry, Mike McCormick, I don't remember all your little games.

DePue: Well, he felt pretty proud about it.

Netsch: Okay, good. I'm glad he did. I'm glad he was having a good time. But you get so that some of those things don't bother you that much.

DePue: But it makes for colorful campaigns, doesn't it?

Netsch: Yes, yes, it does. Yeah. But I'll tell you, they always put me in the back of the school bus because I was usually being interviewed by somebody, and if you've ever ridden in the back of a yellow school bus, which cantilevers, it is not exactly the most comfortable ride in the world. You're bouncing up and down and all over the place. And I kept saying, "Can't they make these buses for kids a little bit more solidly so they don't have to bounce around all the time? Gee whiz."

DePue: Did the subject of seat belts in school buses ever come up?

Netsch: I don't think it did. Now, that's an interesting question, because I was one of the principal co-sponsors of the mandatory seat belt law for cars and adults. I used to get kidded about that sometimes by my friends. If I would get in a car and within ten seconds didn't have the seat belt on, they would be, "I thought you believed in seat belts," that sort of thing. But we had fun with that. It's interesting. I don't remember really the issue of having seat belts required, maybe because it was just sort of the early stages of all of this. They didn't exist in school buses at that time, and my understanding is they still don't exist in most school buses. I think there's even some controversy about it. Usually the argument on behalf of seat belts, seems to me, wins all the time, but there are some serious people that were a little concerned about the use of seat belts in school buses. Well, we're not going to solve that issue right at the moment. But in any event, I don't think it was a very real issue at that time.

DePue: We're now well into the heated campaign; you get into the October timeframe. Somebody in your campaign challenged the Edgar campaign because they were using illegal license plates; they had "Governor 1" on a bus that the campaign was using, and there was a statement that that was a violation of state law. The Edgar campaign came back and said this about you, "It would be so nice to have a state comptroller who doesn't whine all the time." So that was the repartee that was going on by that time.

Netsch: I don't even remember the business about the fact that they were putting a "Governor 1" on… Those are things that happen in the campaign that sometimes the candidate never knows about.

DePue: Do you remember this quote? The *Chicago Tribune* on October second quotes you as saying that you "deserved to be a governor" because you were smarter than Edgar.

Netsch: Oh, that came out of sort of a funny thing, which it turns out I made a mistake in doing. I was being interviewed by somebody, some southern Cook County or south suburban local radio station or something. I can't remember how it came up, but it was about the degrees we had or something. I ended up having said, "Well, I'm smarter than he is, anyway," or something, you know, jokingly. It was a mistake, because that sounded very arrogant.

DePue: But after having said a couple hundred thousand words during the campaign, a couple of them are bound to come back and bite you, huh?

Netsch: Oh, sure. Yeah, yeah. Right, right.

DePue: Let's talk about something that I'm sure you took much more seriously, and that's October nineteenth, in Chicago, the League of Women Voters sponsored a debate between the two candidates. Any thoughts, any memories about that debate and how it went down?

Netsch: I thought he only allowed one debate during the general.

DePue: I think there was the League of Women Voters debate October nineteenth, and then the twenty-first, there was a radio debate that was held down in Springfield. Now, whether you were at Springfield, I don't know.

Netsch: No, because we were in some tiny little room a hundred miles from nowhere, as I recall. That's the only debate I recall. That's interesting, because I thought there was just the one. Well, I do remember a debate, though. Hm.

DePue: Here's the quotable quote on your side—I don't have anything from Edgar on that October nineteenth debate—"Some say that I don't look like a typical candidate, that I'm not polished enough, that I don't talk in the ten-second sound bites. Well, they're right. I'd rather take some political risk and tell the truth than look and sound like every other candidate. It's time for a governor who's more than a pretty face."

Netsch: Oh, good for me. (laughter) That's interesting, because someone the other day was writing up a short bio that was to be used in another award I'm getting, and they said my campaign slogan was "Not just another pretty face." I never thought that was my campaign slogan. I do remember how that came up, because an ad came out, and a piece of paper was being circulated around also, that described me as ugly. (laughs) We didn't know quite what to do with that. For some reason, Paul Simon was here or came up here, and we had a funny little press conference at which we decided to use the expression, "Not just another pretty face." That did appear, but I don't think on any television ads because we never had enough money for that much television.

There were some circulars or something that used the expression "Not just another pretty face." I wonder if that might have been an inspiration for that particular comment. No, I think that was probably the right thing for me to say at that time.

DePue: And the event with Paul Simon is just the kind of thing that you can pretty well guarantee you're going to get some free press out of.

Netsch: Yes. Right, right.

DePue: I assume Simon was wearing his bowtie at the time?

Netsch: Well, he always did. (laughter) Right. I think I remember—that's why I was thinking of the one debate where we were in this sort of small room, which I remembered as the only one. I now sort of remember the League of Women Voter one. It was a small room, it was cramped, and it was sort of hot. The assumption was that this wasn't going to get very far beyond that room; it was not a debate that was being heavily transcribed. You usually end up with closing remarks, and I think that's the one where I lost mine; they all got shuffled around on the podium or whatever it was, so I made it up as I went along. (laughs)

DePue: Sometimes that works to your advantage.

Netsch: Sometimes this probably does work to your advantage, right.

DePue: Remember how it came out that day?

Netsch: Oh, I think it was all right.

DePue: But unfortunately, the polls didn't adjust too much after the debates; you were still well behind in the polls. Before I get to the last few days of the campaign, though, I want to ask you about Penny Severns and her breast cancer issue.

Netsch: I've forgotten exactly when that was, the timing.

DePue: I think it was earlier than this timeframe.

Netsch: It was not a pleasant thing to hear, obviously, but there was never any question about having her continue and, of course, hoping that everything was going to go okay. And it was an early stage in the sense of early when we knew about it and she knew about it. So it was just a matter of, we'll continue on and make sure she takes good care of herself, but that's the only change.

DePue: Was there much discussion between the two of you about what her role would be if you did win? Because traditionally there is practically no role for the lieutenant governor of the state.

Netsch: Yeah, except what the governor decides, if at all. Well, unless the lieutenant governor decides to sort of make his own role. I think Pat Quinn did that with respect to the military business when he was lieutenant governor to Blagojevich.[49] I don't think anybody assigned him that role; I think he kind of assumed it and moved with it, and moved quite well with it.

I'm trying to think whether Penny and I ever really had a chance to talk about that. Not much, I think, is the direct answer to your question. I do have a feeling that one of the things that we chatted about, talked about, conversed about, at one time, was the possibility of having her get into some of the attempts to find and develop and carry out job-creating things, economic development things—which may not sound like her usual thing, but she was interested in that, being from Decatur for one thing. It seems to me that we did talk about that, but we never got to the point of actually defining specifically, this is going to be your role and what is not. Partly because you don't campaign in the same place so often (laughs) that you even have a chance to talk to one another.

DePue: The last couple weeks of the campaign, the polls are stubbornly not moving in your direction. They show Edgar with a commanding lead. What's the mood of the campaign by that time?

Netsch: I guess an attempt to be upbeat, probably, on the part of most people. I don't know that all of the campaign workers realized that it was as bad as it was. (laughs) We sort of knew that. Over a period of time what our polling people saw was that this was not just Illinois; this was something that was happening nationally. So even the idea that my gutsy positions were what was costing us the race, in my judgment, wouldn't hold up. I've never allowed anyone to say I lost solely because I asked for a tax increase and a restructuring of how we'd pay for public education. I say, "Uh-uh, I was going to lose anyway in 1994, there's no question about that." Democrats lost **all over** the country in 1994. It was worse than 2010, by the way. Something like twenty-five state legislative bodies switched from Democratic to Republican, no incumbent Republican governors lost, I think no Republican members of Congress lost—it was just a total wipeout. What the polling people were beginning to see towards the end was this pattern, and they told me about it. So it wasn't even just Illinois, it was something that was happening all over the country, which means it's pretty hard to know what to do about it.

DePue: And very small comfort.

Netsch: Yeah, and small comfort. I think it's fair to say I knew I was going to lose. I didn't know I was going to lose quite as badly, and I didn't know that this

[49] In 2002, Quinn spearheaded efforts to create the Illinois Military Family Relief Fund under the Military Family Relief Act, which was signed into law in 2003. The fund aids to members of the Illinois National Guard and military reservists who are called to active duty, and is funded through direct donations and a check-off box on Illinois income tax returns.

national trend was going to be quite as bad as it was, even though the polling people could see it coming. All you can do is, you know, not lie and say the usual things—Oh, I'm going to win, blah, blah, blah—but try to be sufficiently upbeat that people don't just drop out. And continue to talk about the things that put you there in the first place. We saw some other things happening. I assume some of it was pursuant to deals that were being made in the Edgar camp, but we saw some of the Democrats peeling off up here, some of the ward committeemen. Pat O'Connor is now a major player in the Rahm Emanuel administration.[50] Pat and I knew one another, and I remember his saying to me early on, "Watch out. Some of these guys may take a walk on you at some point. They're very good at doing that." I somehow still remember that, and I guess we began to see that happening.

The only one that really surprised me was George Dunne, because I had been part of George Dunne's political world. You know, I lived down here. What he'd always done—we'd fought one another in primaries—once a primary was over, he was a Democrat and there was never any question that he was going to support the Democrat. I think I even supported him in one of his Cook County board president races, when he needed some, quote, "credible help from the other side of the Democratic Party." So it would just never occur to me that George Dunne… I think some of our people may have begun to see this, but then I got a phone call from someone—I'm not sure even now I'm going to mention who it was, someone very close to George Dunne, very well known—who said that the cards they're putting out have Jim Edgar's name on them now. This person who phoned me was very upset about it because he didn't think that was the right thing to do either. And I was stunned. I never thought George would do that.

DePue: The cards that are being put out?

Netsch: The palm cards that the precinct captains hand out, and literature.

DePue: So this is telling the voters as they approach the polls, this is who they were recommending to vote for?

Netsch: Yeah, and apparently some of it was also going out before actual election day, when they're putting pieces of literature out and that sort of thing. So when that starts… I shouldn't say I know because I can't cite chapter and verse, but I know the Edgar campaign was also attempting to—how shall I put it—make deals with some of the black wards on the South and West Side. We knew that from what people were telling us.[51]

[50] O'Connor is alderman of the 40th Ward and functions as Emanuel's liaison to the city council. For an in-depth profile, see Dan Mihalopoulos and Hunter Clauss, "Emanuel's Man on the Council," *Chicago News Cooperative*, June 12, 2011, http://www.chicagonewscoop.org/mayor-emanuels-go-to-man-on-the-council/.
[51] For similar efforts by Edgar in his 1990 campaign, see Arnold Kanter, interview by Mike Czaplicki, December 17, 2009, 44-59.

DePue: Normally the strategy from the Republican standpoint would be that they just hope that the black wards don't show up in force on election day.

Netsch: Yeah.

DePue: How about the support, or maybe lack thereof, that you got from the state's two most powerful Democrats, Richard M. Daley and Mike Madigan?

Netsch: Mike was sort of very friendly after I won the primary, but I never had the feeling that he was really out there beating the bushes for me very much. And Rich, I think probably he did what he could to get out the votes that he had some control over. But he was supposed to help raise a huge hunk of money which never got raised, really, so that was always sort of a disappointment. I needed money. (laughs)

DePue: Do you think he just didn't have the enthusiasm; he didn't go out aggressively to raise the money?

Netsch: One of the things you learned about him was that, for the most part, he by then was not getting heavily into an awful lot of the political campaigns, especially with money. John Stroger always got a big hunk of money from him, but he was not terribly generous in passing around his campaign money to other candidates.

DePue: So by election night you pretty much know how this is going to turn out, it sounds like.

Netsch: Yeah, yeah.

DePue: What was your mood and the mood in the campaign headquarters that evening?

Netsch: We were at the hotel fairly early.

DePue: What was the hotel?

Netsch: I don't know what it's called now. It was the one on Adams Street. It's got another name. I think it's a W Hotel now. I want to say 179 West Adams. I think that's where we were, because I'd had a lot of my campaign events there. Somebody in the campaign would know that; I don't remember.

I was trying to figure out what to say in a concession speech so that people wouldn't feel so badly about it. Peter was working on it and I was working on it, and—

DePue: Peter?

Netsch: Peter Giangreco. I remember one thing: I was going to try to have a little fun with Walter and his intensity. He gets much more excited and passionate about these things, I think, than I did. I was going to tweak him a little bit just for fun, and he did not like that at all. He was not in a mood to have any good humor in all of this. So we wrote whatever we could say. A lot of it was mine, I think, because I remember a couple things I said. One was that no one is more painfully aware of the condition that this state is in than I am as current comptroller, and I wish Edgar well, obviously, and am certainly here to help in any way possible. Then I looked out at the people in the audience there and I said something like, "Don't shed any tears; I did it my way." I do remember specifically saying that; I said the risky things, I took the risky positions because that was my way and that's the way I wanted to do it. And paid the price, but I would not have won anyway—that year.

DePue: I was going to ask you if Walter, at some level, was relieved that you didn't win, but it sounds like that was not the case.

Netsch: I don't think so, no. He had practically reorganized the executive mansion. I mean, he is something. (laughs)

DePue: Ever the architect, huh?

Netsch: Yeah. And not at public expense, but just in terms of how it functioned and who was going where and where the dogs were going… You know, he really jumps ahead and—

DePue: Would there have been alcohol again in the executive mansion?

Netsch: Oh, absolutely, absolutely.

DePue: Better parties at the executive mansion?

Netsch: Better parties, right, yes. We got invited to, I guess, the first dinner party that the Edgars had. No, that would have been back when I was comptroller, though.

DePue: Well, I do want to hear about that.

Netsch: After he was elected and I was elected comptroller, Roland [Burris] was AG [Attorney General], and Quinn was treasurer. They had their first dinner party. They said they wanted to sort of try things out, which was fine. Of course, no liquor served. And what did we have? Apple juice or, oh, God, you know, something awful like that. (laughter) But it was very nice of them. It was very thoughtful, and we understood that what they were doing was trying to figure out how the thing works when you're the governor and the governor's wife at the executive mansion. So we were all very pleased and all very civil with one another. Jim and I were always civil to one another.

DePue: We're getting close to the end of the session, and I think we're in good shape. We probably need to be cutting it short because you've got things to do as well. But I did want to announce here—I've got conflicting numbers, that's not good—the results of the election.

Netsch: Ooooh. Do you have to remind me of it?

DePue: I would have to know exactly where this piece of paper came from. But what I'm reading from here, a very detailed breakdown by county, et cetera: Jim Edgar and Bob Kustra, 63.87 percent.

Netsch: What was it, 63?

DePue: Yeah, 63.87. I'm looking at something else that says 60 percent, so certainly in that range. Your numbers, 34.43 percent, then David Kelley, the Libertarian, got a little over 1.5 percent, and that was pretty much it. In the election, Edgar won every single county, to include Cook County, except for Gallatin County. That's the only county, way in the southern part of the state, that he lost. And as you said, and as we know from history, this was a **huge** year for the Republicans across the entire country.

Netsch: (laughs) Yeah.

DePue: And in the state of Illinois.

Netsch: Which was sort of interesting, because I think for a while after the election, Mike Madigan blamed it all on me. I think at some point he came to realize that it was not just me, that it was the Democratic Party that just got wiped out all over the country.

DePue: Yeah. But it is significant that Mike Madigan is not going to be the Speaker of the House after, I don't know, fourteen years that he had served as the Speaker, or at least the majority leader at the time. That means Lee Daniels is the Speaker, and he's got a two-year window to do that. James 'Pate' Philip remains as the Senate president; he had been the Senate president for a few years before that time. So here's the short window of opportunity Edgar has for the two years that he controls both houses of the legislature as well as being governor. Constitutional officers—you've got George Ryan winning reelection as secretary of state; Jim Ryan wins now as attorney general, replaces Burris; Loleta Didrickson replaces you as comptroller; and Judy Baar Topinka becomes the treasurer. She must have beaten Quinn that year?[52]

Netsch: I think so, yeah.

DePue: Or did Quinn not run for reelection?

[52] Topinka defeated Nancy Drew Sheehan. Quinn was defeated for secretary of state by George Ryan.

Netsch: I'm trying to remember. No, I think he had run again for treasurer, so yes.

DePue: So it's a clean sweep for all the Republicans.

Netsch: Yeah. Oh, absolutely.

DePue: At that point in time, then, what are people like Madigan and Daley and others in the leadership of the Democratic Party thinking about the future of the Democrats for the state, and for the nation?

Netsch: I don't know what they were thinking; they didn't tell me. (laughter)

DePue: What, they were still blaming you at that time? (laughs)

Netsch: Mike Madigan was still blaming me. I don't think the others necessarily did. Of course, what I would say to them was they needed to sit back and do a little bit of soul-searching about why this happened. I don't know what all of the history books are going to write about it, but one of the things that I sensed was a lot of the anger and frustration was really directed at the Democratic Party nationally, in Congress, and the national government, because people thought the Democrats had control in the national government, and that's what people know best anyway, really. While there had been Republican presidents, it's true that we had control of Congress a good deal of that time. But nothing seemed to be happening. It was this gridlock problem.

I think that's part of what we're seeing right now also, except that it's in a much nastier atmosphere right now, maybe even than it was in '94, although the results were more devastating in '94. I think people just said, To heck with them all. These Democrats have been running this show for so long, and we've got nothing to show for it, and all that sort of thing. My sense is that, maybe even in some states where they were not that mad at the Democrats on a state basis, they nevertheless took it out on the Democrats wherever they were, because it was almost a nation-wide phenomenon. We literally got just **wiped out**, (laughs) and I don't think it was fully justified. I'm leaving Illinois out of this right now, even, but just in some of the other states, my guess is it probably was not totally justified. There was just this feeling, We don't like any of them; let's get rid of the people who've been in charge. I think that was a very, very major factor in what happened in '94.

DePue: This is the year Newt Gingrich came out with his Contract for America; a lot of that had to do with allegations that you alluded to with what was going on with corruption in Congress. I think a lot of people today would be talking

about Hillarycare, which worked against the Democrats that year. That was the label they gave for Clinton's health care reforms.[53]

Netsch: Of course nothing happened, yeah. And Clinton had been in terrible trouble, too, from time to time; as evidenced by the fact that, as I said, when I had him here for a fundraiser, half of the media kept saying, You sure you want him here?

DePue: Yeah, his poll numbers were way down at that time, way down.

Netsch: And a sense of gridlock, of nothing happening.

DePue: Any memories about those days and weeks following the campaign, of the emotions you and Walter were going through?

Netsch: No. You get over it. (laughs) In fact, I got up early the next morning because Walter Jacobson had asked me beforehand, would I come on his—I guess he had an early morning gig—the morning after the election. I know Walter, he's a friend, and I said all right. And I did. I hadn't had that much sleep the night before. But I did what I wanted to do, and I suppose I literally did do it my way. You know, you get discouraged about some things, about how superficial too many campaigns get, how heavily they are dominated about money, but also you're caught up in something like that national sweep and realize there's not much you could have done about it. I felt that I had managed to get a few issues out there that I did feel strongly about, and I think I did. I think I forced the whole school funding, property tax, fiscal structure thing. I don't mean that nobody had ever talked about it before that, but I think I helped force it onto the agenda. Unfortunately we haven't managed to do quite what we ought to have done about it since then, but it never goes away now. I think that much is true. And so life goes on.

DePue: A couple retrospectives that tie directly into Edgar's administration. What was your reaction when shortly after this, Edgar starts to make some moves of his own in education reform?

Netsch: He appointed the Ikenberry Commission, which came out with a report which was **startlingly** similar to my proposals. I guess all I could say was, You knew that all along. Why were you so basically misleading and untruthful about it?

DePue: Untruthful?

Netsch: Well, I don't know whether I was using the word "untruthful," but trying to make the idea that it was this horrible, horrible thing. We talked about accountability also. I think the accountability thing got more sophisticated as

[53] First Lady Hillary Clinton chaired the taskforce that developed the president's controversial 1993 healthcare reform plan, which died in Congress.

the years went by, but I made it clear that it was… When I'd talk to some of the school people, I would say, "You folks may end up not liking some of the things I may have to propose to put into reforms in education."

DePue: What do you mean by accountability, though?

Netsch: Tying to make the schools better, I mean, actually perform better, produce students who are better. I didn't know what all those things ought to be, and I didn't have enough resources to be able to have the intensive research that it… Well, for cripes' sake, this is, what, twenty years later, and they still haven't quite figured out everything.

Oh, a couple of things, by the way, I did talk about—which is sort of funny in view of what happened this legislative session—gee, I really was ahead of my time. (laughter) Because when people would say, "Why do you want more money in education," I would say, "There are a lot of things that need to be done. For one thing, in my judgment, the school day and the school year ought to be lengthened." I said that lots of places. It was funny, because there were places downstate where I would say that, where I got a very strong negative reaction, and it's not because those kids were out in the fields still. I don't know what it was. But I would always use that as one example of one thing that ought to happen. And I said, "Another thing is that given the way we're going, of course we're going to have to make sure that all kids have access to computers and to science and science labs." I also was very clear: I said I personally believe that teachers ought to be paid more, but on some kind of a system which evaluates whether they really are good teachers. I don't know whether it's the traditional merit thing, whether that works or not. It's not always the more senior ones who are better. I mean, there just ought to be some good way of evaluating them. I was <u>not</u> the strongest proponent of the only way you evaluate the quality of a teacher is by the test scores, because I think there's so many problems that go into that, and that still bothers me an awful lot. But I would warn the teacher's union folks. I said, "You won't like everything that I'm going to be proposing over a period of time, but the one thing that is constant is I have a **passionate** commitment to public education."

DePue: The Edgar camp, in terms of your response that what they were doing was very similar to what you were proposing, would preface that by saying, "Yes, but we first fixed the Chicago school system before we went after the rest of the state."

Netsch: Yeah, but you have to fix all of it together. The idea that the Chicago school system was the only one that was not working well was just not true. In addition, it has the largest population of difficult-to-educate kids, in terms of the most important thing: have they got parental support, have they got peer group support, are their schools okay, and do they speak English? Those are things that all have to be taken into account. But you're right, one of the

things that was used for years against putting more money into education was, "Why should we put any more money into public education? It'll all go down that rat hole, the Chicago school system."

DePue: Gee, that sounds like James 'Pate' Philip.

Netsch: Yes, it does. One of my responses was, "Yeah, but that rat hole is what's running the state of Illinois, and if you don't get people out of the Chicago system who can function, who are functionally literate, for example, then you are going to have an economic albatross around your neck for ever and ever and ever." That's why the business community finally… Even the last days I was in the legislature, when we passed the first Chicago school reform, we had business folks down there—Ron Gidwitz, for example, and a whole bunch of others—and what they had learned was they had to have people coming out of the Chicago school system who could function. It's absolutely the most critical component of economic development. All of those things—having the resources in the schools, paying the teachers better… What did I say, 4:15? Ayiyi, is my appointment—

DePue: Yeah, we'd better cut it short, then.

Netsch: The resources: smaller classrooms, as I said, longer school days, longer school years—just so many things were lacking.

DePue: I was going to ask you for an assessment of the Edgar administration, but maybe we ought to wrap it up. We need to cover the rest of your life. I'd like to do that. But very quickly, in half a minute or so, your assessment of the Edgar administration?

Netsch: A lot of lost opportunities. I think it was calm, deliberate, but not very exciting and not very adventuresome and not very innovative, I guess. Because he had so much goodwill going in, and really throughout most of it, I think he could have done so much more than he ever did.

DePue: Thank you very much, Senator. This has been a fun session; I knew it would be. (Netsch laughs) Hopefully I don't have you being late to your appointment.

Netsch: Yeah, I'd better go check it out.

(end of interview #11 #12 continues)

Interview with Dawn Clark Netsch

ISL-A-L-2010-013.12

Interview # 12: December 7, 2011

Interviewer: Mark DePue

DePue: Today is Wednesday, December 7, 2011.

Netsch: December seventh—

DePue: Pearl Harbor day.

Netsch: —a day to live in infamy.

DePue: Exactly.

Netsch: And some of us have been around long enough to remember that day.

DePue: You remember other infamous events—

Netsch: Yes, right.

DePue: —which we'll talk about a couple of here. My name is Mark DePue, Director of Oral History with the Abraham Lincoln Presidential Library. I'm here with Senator Dawn Clark Netsch. Good afternoon.

Netsch: Good afternoon.

DePue: And this absolutely will be the last session that we have, I promise.

Netsch: Okay, (laughs) promise?

DePue: And we have to get you to a meeting in about an hour and 15 minutes, something like that, so we will honor that as well.

We finished off last time talking about your election campaign in 1994 with Governor Jim Edgar. And obviously he won reelection. I want to talk about the rest of your life, and you haven't slowed down very much at all. So what I want to get started with here is this question: Your feelings in the days

and weeks after the election about losing that race, and losing in a rather resounding way, if I can say that.

Netsch: Oh, yeah. Yeah. Well, number one, by election day, we knew I was going to lose. I certainly did. I don't think we understood fully what was going on in the country. I mean, it was just a total wipeout of Democrats all over the country, so it wasn't just me. A lot of it I think was a reflection of the frustration with gridlock in Washington, but the voters took it out on Democrats wherever and whatever. As I remember—I may be slightly off on my figures—but something like 25 state Houses turned from Democratic to Republican that year. No Republican incumbents for Congress, no Republican incumbents for major state offices lost. Democrats just got wiped out all over everywhere. Some of that was being reflected I think in polling before election day. So I knew I was going to lose by that time. I don't think I knew I was going to lose **quite** as badly, but we saw something of what was happening. So in a sense, that takes some of the sting out of it.

I would also have to say, as much as I really wanted to be governor and wanted to have the chance to do the kinds of things that I had been working on in other contexts, I never took it personally. I remember the very next morning, Walter Jacobson—whom I had known for a long time—had asked me whether I'd be willing to come onto his program, which was like eight o'clock or something like that on the morning after the election. I did, and I was okay. I mean, I could talk about it. I'm going back to saying as much as I really wanted to be governor—and I did want to be governor, no question about that—I never thought the world was going to end because I wasn't going to be governor. I had some perspective on it in that sense. I was disappointed, well, personally, but I was disappointed because the thing that had sort of led me in that direction was I just did not see enough stand-up-and-be-counted, what I would call sort of courageous leadership on a lot of the issues that I thought were terribly important. And I was unhappy that I suspected that was going to continue to be the pattern.

DePue: We talked a little bit about your feelings about the Edgar administration when we closed the last session, so we've already addressed that. Was Walter relieved or disappointed, or both?

Netsch: Probably both. He personalizes things much more than I do, really. I think it's probably accurate to say that he took it much more personally than I did. So in that sense, it would be anger and disappointment. Anger probably on his part also. I mean, he would get angry about something about my losing. Once in a while I'm sure he thought, At least she's not going to be in Springfield the rest of her life (laughter) and on call 24/7, which it seems to me the governor is. But again, I think he took it more personally than I did, probably.

DePue: Anything you want to say about closing up your duties as comptroller?

Netsch: Well, what we did—two things. One is: I wanted to make sure that the people who worked for me were in a sense taken care of or not just put out on the street. Bear in mind that a vast majority of the people in the comptroller's office had been there in many cases even before I had arrived and were in no way, shape, or form political. Obviously the key staff people, who actually were pretty unpolitical themselves—I mean, people like Bob Brock, I got out of Economic and Fiscal Commission. Jim F. Carsik I got out of Economic and Fiscal Commission. Sharon Corrigan, Lou Ann Rikely. My personnel director—I never did know whether he was a Republican or a Democrat. So most of those people didn't have strong political backgrounds, but they were **my** people.

DePue: And obviously not exempt under Rutan?

Netsch: Oh, they would be exempt.[54]

DePue: They were exempt, yes.

Netsch: Oh, sure. Yeah. But they were my staff people, so I realized that probably not many of them were going to be kept on by my successor, which was too bad, because they were all awfully **good people**, I mean, **really good government folks**. So I worried about a lot of them, and we were trying to think about what would happen to them. I wanted to make sure that there was no sort of big upheaval among just the routine employees, that any idea that they should be dumped—because, as I said, a lot of them were there even when I arrived. I mean, people who did the regular work. And I got a commitment from my successor—what I thought was a commitment, anyway—that there wasn't going to be any big upheaval like that.

DePue: And your successor?

Netsch: On a Friday afternoon, as I recall, towards the very end of the transition period, a whole bunch of them got, "You're out." I was very angry about that. So that was a part of the transition, just what happens to the people whom you've come to know and trust in your office.

DePue: Who was the successor?

Netsch: Loleta Didrickson.

DePue: So another woman.

Netsch: Yeah. And somebody I'd known. You know, we had sat down during the transition and had nice conversations. In fact, (laughs) I thought the funniest one was—I said, "You know, the one thing I would suggest to you, when you

[54] Being exempt meant they were exempt from the limitation on those in office from making political appointments, therefore they could also be released at will.

move into the office, do take the time to get the velvet draperies dry-cleaned. They are so filled with dust." I'm pretty tight about such things. I would never get the chairs reupholstered or the draperies cleaned. I said, "You really ought to. I mean, it's almost beyond the pale now." But we had what I thought were very friendly, nice discussions about everything. The one thing I say that I felt a little bit betrayed about was the fact that a whole bunch of people got a sudden, like, Friday afternoon notice that they were out.

So transition was always one of the… The other thing I of course felt very strong about in leaving the office was, as much time and effort and I suppose political capital as I had spent trying to get people to understand the state's finances and how bad they were, even though we were coming out of the recession by the end of my comptroller's thing—bad recession in '91, '92. The revenues were beginning to pick up, and so things were beginning to look a little better, but the state still had a huge backup of bills and still was not paying the Section 25, the Medicaid bills got bumped over. Of course I was **painfully** aware of the pension unfunded liability because I'd put in legislation that was supposed to solve that problem over a period of time. So I worried that there would not be much—sort of being honest with people about the state-of-the-state's finances.

We did put out a report, which I've got a copy of in the other room—sometimes people still ask to see it. What did we call it? *A Long-Term Look at Short-Term Fixes*. What it was pointing out was that the state in its budget process and all had been doing one-time fixes, if you will, and not really settling down and looking long-term at the obligations that were there, and how we were going to be brought up to date. So we left that report and said, "Okay, maybe we'll get along a little bit for right now, because the economy has turned around, revenues are picking up a little bit, but just wait until the next serious recession or downturn comes along—and it will—we just simply are not prepared for it." Of course, when this one came along, which is more serious than any of us would ever have hoped or anticipated, it began to demonstrate again how unprepared we were. Almost every state has had trouble as a result of this recession. I mean, this has been a really serious downturn. But we were in trouble going into this period, we the State of Illinois, and so it was much more difficult for us.

DePue: I don't want to get too far ahead, because I do want to spend a little bit of time talking to you about [Rod] Blagojevich, and George Ryan as well. Both of them certainly contributed quite a bit to the problem. So if I can, let's get on to your European vacation. Any comments about that?

Netsch: (laughs) Well, marvelously, Walter… I suspect that what I really needed was a very quiet, sit with a book on a warm beach someplace for a while after the thing, but he wanted to have something **exciting** that would really get to me. So he arranged this—it was all musical. So we were, what, sixteen days mostly in Europe. Dresden, Salzburg, Hamburg, Munich, Berlin. Ended up in

London. I think in sixteen days, we did at least fourteen musical events—concert, opera, whatever. (laughs) Of course I love that stuff, but I'm not sure that that's what I would have planned.

DePue: You didn't come back well rested, then?

Netsch: I don't think I was well rested when I came back. Well, mentally, perhaps, rested. Physically—because it was winter. Of course, it was January, and so it was not exactly **toasty** in most of the places that we were in Germany and—

DePue: No warm beaches, then.

Netsch: No warm beaches at all, no. In fact, the one thing I do remember, the first stop was Dresden, and the very day we arrived—of course, you always have some jet lag—we went to a—was it a ballet or a concert? I think the answer is I don't remember because I think I slept through most of it or was dozing off. Absolutely (makes a snoring sound) like this. (laughs)

DePue: Well, tired from the campaign combined with jet lag, that would do it to almost anybody.

Netsch: It was quite something, right. But of course it was delightful to hear all the music. Except the one that surprised me the most was *The Flying Dutchman*, Wagner, performed **in** Berlin. You would think that if you would hear a good Wagner, I mean, apart from Bayreuth, if you could hear a good Wagner, it ought to be in Berlin. It was **absolutely terrible**. The singing, the—it was just—I don't know, it just didn't come through at all. So anyway, that's another matter.

DePue: You get back from the vacation. If I can be as indelicate to mention that you were sixty-eight years old at the time?

Netsch: Yeah. I think that's right, yeah.

DePue: Which is a time when most people think, It's time for me to retire and enjoy the rest of my life.

Netsch: (laughs) Yeah. I'm now eighty-five, and I still haven't retired. (laughter)

DePue: Why didn't that ever appeal to you?

Netsch: It just never occurred to me to not be doing active things, including even working. Of course, one of the things I did was I came back to teaching, which I enjoyed, most of the time loved. There are always bad days in teaching also, as in anything else, but basically I love doing it. And then getting back into all my extracurricular activities also.

DePue: Let's talk a little bit about your teaching experience, then. Did you increase the teaching load that you had? I know that you were always connected with it.

Netsch: No. Actually, when I was elected to the Senate, I had to cut my teaching load some because I was gone so much of the time. Then the four years that I was comptroller, that was when the then-dean Bob Bennett and I worked out that, Gee, we'll make you emeritus, so you're still a part of the faculty. That means—he didn't say "if,"—he said, "When you get out of public office, you could just come right back and start teaching again. We don't have to go through any formalities with it because you would still be part of the faculty." So I was emeritus when I went off to be comptroller, which meant I was still a member of the faculty. So it was just a matter of, what do you want to teach and how much and that sort of thing when I came back.

DePue: What do you want to teach? What did you teach?

Netsch: I confined myself then to state and local government law. Number one, there was no point in taking up what had always been one of my major areas, anti-trust law. I'd been away from it for **way** too long. And I wasn't sure I wanted to teach a complete load anyway. So we focused basically on state and local government law.

DePue: I know that you also got involved with a study on what the future of the Northwestern Law School would be.

Netsch: Yes. We had the first strategic plan committee, commission, whatever. Somewhat to my surprise, I was the co-chair of it. I say that because, number one, I was not a full-time member of the faculty; I was emeritus. I've always been sort of what I call kind of a strange member of the faculty, in the sense that I clearly have spent most of my extra time in my public activities. So it was interesting that I ended up being the co-chair with Steve Presser, very conservative, politically and otherwise. But we're good friends; we worked very, very well together and did come up with a strategic plan that I sometimes jokingly say, I figured out towards the end why I was a co-chair: I knew how to count votes. (laughter) And we ended up with **no dissenting votes**. Now, among a law faculty, you can't **imagine** or **believe** how **unusual**, how **extraordinary** that is.

DePue: Cynthia Bowman does a good job of talking about that whole process. What intrigued me was the direction that the law school was taking at that time, and maybe had solidified once the study was over. But it doesn't sound like it was necessarily a direction you wanted it to go.

Netsch: No, but I knew that was happening. And I knew I wasn't going to stop it. But what I did feel very strongly about is that the sort of other part of the law school—you know, the clinic and the centers that have been built up around

the clinic—some of which didn't happen until afterwards, like the Center for Wrongful Convictions was not there when we did that original strategic plan. But there were a few other centers that were all part of the clinical component, really, of the law school, and the public interest component. I felt a sort of a personal responsibility to make sure that it was not downtrodden, set aside or anything. And I don't think it was. I think it came through as still being very much an important part of the law school, although admittedly it was becoming more—and I think probably until this day—known more as a place that trains people for the big firms.

DePue: Business law.

Netsch: Yeah, and—

DePue: Corporate law.

Netsch: Yeah, corporate law. Which is interesting, because a couple of the other components in some ways have more national and even international notoriety if you will. Our clinical program is extremely well-known: the Center on Wrongful Convictions, the Children and Family Justice Center, which has had a big impact on helping to clean up the juvenile business here, particularly in Cook County. I mean, those in some ways get more public attention and are very well-known. But I think most people would still say we are a law school that trains people for big firm, corporate practice.

DePue: You mentioned clinical. You need to help me out, since I'm not a lawyer by trade.

Netsch: Well, that means it does a lot of teaching, but it also represents people, sort of like a legal aid—

DePue: *Pro bono* work?

Netsch: *Pro bono*, yeah. And law students under certain circumstances are even allowed to appear in court. That's been true now for some period of time. We've always done a lot of work with Cabrini Green Legal Aid Clinic; people come in in a sense off the street. So there's a lot of representing people who are not paying clients but who need help. Of course for the students, it provides an opportunity for them in a sense to practice, to have real live clients for whom they are responsible. So a lot of the students, even those who are going to end up being big-firm practitioners, really want that clinical experience, and it's very much in demand always.

DePue: What is it that you most enjoy about the teaching experience?

Netsch: Whew. (pause) I suppose having continuing contact with young people and sort of seeing what's going on in their minds and in their worlds. Happily for me, it's not all discouraging. (laughter) They're bright and a lot of them—and

I probably tend to see more of this part of the entire student body world—do care about what's going on in the world and are very interested in it. DePue:

Okay, now what I'd like to have you do: contrast and compare—that sounds like a test question, doesn't it?—compare and contrast the students when you were going through law school with the students today.

Netsch: I think we all get asked that question a lot, and I've never been sure I really know the answer. Number one, just—

DePue: Well, you were practically the only woman going through your timeframe. That's one of the changes.

Netsch: Yeah. Well, there were two other women in the class who went through on a different schedule, so I was the only one left in my part of the class, that's true. Two things—and that of course suggests one of the things that is terribly different, and that is there were almost no women involved then, and now very usually somewhere, 40, 50 percent. That's true of most of the law schools; some go over 50 percent. That is a pretty dramatic change. In terms of just sheer intellect, I don't think they're any smarter today than they were then.

One of the things that **is** different is they all have more worldly experiences than when I was in school. Remember, we were just coming pretty shortly out of World War II, and the idea of traveling around the world and seeing other peoples and other cultures and everything, you couldn't **do** it. There was **no way** you could do that. Sure, a lot of the guys had been in the service, so in that sense they had a different experience, if you will—not always a happy one. But in terms of being able to do the kind of traveling around that young people do today... In fact, I was joking with even my assistant, who unfortunately I've just lost to a more professional job; he goes to Paris at least once a year. He was just in Barcelona; he was just... (laughs) There was **no way** we could have done that. A, most of the world was still pretty destroyed, and things cost too much anyway; there's no way you could afford it.

And then a lot of them also have been able to do outside work that was fundamentally not very available to those of us who were in school when I was. In fact, something like—oh, what is the number now? I don't know—like 89 percent of our students have been out of school a minimum of one year, and many of them two or three or four years. They've been doing other things before they even come to law school.

DePue: Is that a good thing?

Netsch: Oh, yes. I mean, that's something that Northwestern has almost made a qualification for admission for a long, long time. Interesting, because I can remember over the years talking to somebody who wanted to come to law

school and said, "Well, no way could I get admitted; I've been out of school too long." I said, "Unh-uh, that's an absolute plus depending on what you've done with those years." But for our admissions process, if you've been out a year, two years, three years, and done something other than be a ski bum in Utah or something like that, it is an absolute plus. Yes. We find there's a better sense of perspective, there's more maturity.

DePue: Just walking to the Northwestern Law School—is that the right way of saying it?

Netsch: Yeah.

DePue: Northwestern Law School, or School of Law?

Netsch: Well, formally it's the Northwestern University School of Law. (laughs)

DePue: Okay. Anyway, walking here, I've got to believe that you've got more of an international flavor as well.

Netsch: Oh, do we. Yes. Let's see. I do this every year when I do the history of the law school. I think the figure I used in this last year's presentation, was it about 24 or –5 percent of our total enrolled students are non-native Americans. Now, some of that is because we have a lot of LLM programs. That is, these are programs where the student already has a law degree but is getting additional training. That used to be fairly rare. Now it's much more common. A lot of our LLMs are foreign students who want to learn something about American law, and so they come here and do—usually it's a one-year program.

We also have an arrangement with law schools in Tel Aviv; in Madrid; and in Seoul, South Korea. We exchange students, in a sense, and faculty. So we get a huge number of international students through those programs. And then just our regular LLM tracks. You know, we've got an LLM tax program. Most of the students in it are probably American students, but not all of them by a long shot. We've got a lot of foreign students there. Kellogg, which is the business school, LLM program with the law school—foreign students there. So yes, you're right, we have a very, very substantial component of students from abroad. And of course, that is also part of how the world has changed and how the experience that our regular students, our regular American JD students, of whom we still have some, how their world has changed. It is; it's a very different world.

DePue: LLM stands for...?

Netsch: Master of Laws.

DePue: Okay. Does this mean that you've gotten to Seoul and you've gotten to Tel Aviv personally?

Netsch: No, I have not. I'm not involved in... Not 100 percent, but most of the people who are involved are teaching things like contracts, corporate law, agency law, things like that—and sometimes they also take constitutional law because they want to know something about American constitutional law.

DePue: Okay. So that's your academic side of your life, but that is only one component of your life after politics as well. I know you didn't completely leave politics. So how did you stay connected with people in the political arena afterwards?

Netsch: That wasn't hard. (laughs) A lot of them were my good friends.

DePue: So they were coming to you, then?

Netsch: Well, that happened and continues to happen. I think I get at least one meeting a week with somebody who's running for office and would like to come talk to me; they always say "get my advice," which is very nice, and to some extent, that may be true. They also want support, and often money, which (laughs) I fully understand also. Not so many now, but a lot of the people who were in the legislature after I left state government and continued to get into government were people I'd known. Sheila Simon, I knew—well, before she was ever conceived, actually. (laughs)

DePue: Sheila of course being Paul Simon's daughter, who's now the lieutenant governor.

Netsch: Yes. And she was also the daughter of Jeanne Hurley.

DePue: I knew you were going to mention her, who I'm sure you were very good friends with from your legislative days.

Netsch: Absolutely. I knew Jeanne as well as Paul before they were married.

DePue: Okay. I wanted to ask you about a couple of the other civic activities. Here's one: Business and Professional People for Public Interest—

Netsch: BPI.

DePue: —which focused on housing?

Netsch: We like to think of it as the largest sort of public interest law firm. It is, of course, not-for-profit. One of the good things that it has done, largely under the leadership and direction of Alex Polikoff, who was the leader of BPI for so many years and is still there, although he stepped aside as the executive director, and so there has been a heavy, heavy focus on housing. You know, trying to get more affordable housing, participating in the whole Gautreaux thing, which basically BPI took the leadership on, which is, you know, getting rid of the segregated pattern of public housing in Chicago.

DePue: The big housing projects, like Cabrini Green.

Netsch: Yeah, yeah. And it's known as the G-a-u-t-r-e-a-u-x, because that was the plaintiff in the original lawsuit, and BPI was basically the lawyer for it. And still is, because there are a few—well, let me see. Did we finally get a final closing out of the Gautreaux thing? But it has continued to be on the books, and all kinds of things still continued long after the original settlement of the discrimination, had to continue to be approved by the court under the Gautreaux guidelines.

DePue: Was this something that was specific to Chicago or Illinois or even had a national interest?

Netsch: Well, it was specific to Chicago, although obviously some of the principles had meaning and usefulness way beyond Chicago. But it dealt specifically with public housing and the segregated pattern of public housing in Chicago. It was broken open by the Gautreaux litigation. And as I say, it still has some bearing. So housing has always been one of the main focuses.

One of the interesting things about BPI is it doesn't try to take on the entire world. It does try to focus somewhat more so that it can do what really is an extraordinarily professional job, which it certainly did in the housing field. It is now working also in public education; in part, that ties into the program for getting rid of public housing in Chicago and the part that the schools play in that whole pattern. You know, if you're going to get rid of a Cabrini Green, you've got to make sure that whatever goes in there is still going to have decent public schools and that the kids who are in the public schools in Cabrini are going to have places to go. I mean, it's all part of the pattern of recognizing how critical education and housing patterns go together.

DePue: You mentioned getting rid of public housing. Did you intend that to mean getting rid of the big public housing projects, the projects?

Netsch: Yeah. And a lot of it was for mixed income, mixed racial things to take the place. DePue: Instead of the high-rises, smaller homes, smaller complexes?

Netsch: Oh, yeah, yeah. If you go into my neighborhood, Cabrini Green is gone—the high-rises. They were all part of my legislative district, by the way. Now, there are still some semi-high-rises, new ones, that have been put up, that are part of the mixed-income housing pattern that hopefully is going to take the place of the **huge** warehouses of **all poor people**, which is what public housing had become in Chicago.

It wasn't in its early days. Representing Cabrini Green I've been to a lot of constituents who had lived there from the beginning, really, of Cabrini Green, and they had families. They weren't all single-parent dysfunctional families, if you want to call it that, with too many kids and not enough—and

too many drugs and all that, which is of course what everybody thinks of in terms of the large high-rise public housing projects. Unfortunately, a lot of that had come into being over a period of time, but it didn't start out that way. Again, as I said, I knew lots of people who had perfectly functional families. They were poor, but they were not **dys**functional in the way that we think of it now.

DePue: One of the things that you were championing when you were in the legislature was merit selection of judges. I understand that didn't stop as an interest for you either.

Netsch: Oh, I'm still on it. (laughs) No, I've always thought that we should not elect judges, that it was an inappropriate way to choose those who were to be the cornerstone of lack of bias and prejudice and the marvel of fairness and all that sort of thing. The election of judges generally does not lend itself to that, and it certainly did not as it had worked out in the state of Illinois. So I have been a passionate supporter of the system that's known as merit selection of judges or sometimes as the Missouri plan, which is basically a two-level appointive system. Nominating commissions made up of both lawyers and non-lawyers—very important; there have to be non-lawyers on the nominating commissions—bipartism who, to use one of today's favorite words, do the vetting and take the applications or reach out and find people who want to be judges and then review their credentials and everything else. And then typically make a nomination of three for each judicial vacancy. That pattern changes from one state to another, but this is a fairly typical one, and the one that I usually used when I introduced merit selection. The nominating commission then nominates three for each judicial vacancy, and then the appointing authority, who typically is the governor under most systems, makes the appointment but is limited to the three names that he is given and can't play any games with it.

So it's an appointive system, but one that has some built-in, I think, protections. It is used for some or all of the courts in—well, you get different figures on this—maybe thirty-two states. But there are also thirty-nine or more which elect their judges. What actually took place finally in Missouri—Missouri was the leader on this; it first adopted merit selection back in 1945—it adopted it for the supreme court and the appellate courts, but at the trial court level, it put into place the merit selection system only for the large trial courts in Kansas City and St. Louis. Since then, several other local jurisdictions in Missouri have, on their own, adopted merit selection. So I think it's either five or six local areas at least have merit selection for selecting their trial court judges. But it's in place for appellate and supreme court. Several of the states which have adopted merit selection use that pattern, that is, mandated for supreme court and appellate court, but there may be some option at the local level, which was what my proposal did most of the time also.

DePue: I'm going to make an observation here which you can either agree or disagree with, but I want to get your opinion. It seems to me that, since when you first got into the business of being a lawyer to today, the process of selecting judges has become much more politicized, and it's over this philosophical divide, whether or not you are a strict constructionist with the state or the federal constitution or you are on the living document side.

Netsch: Well, two things. One, it has become much more politicized, primarily because of two things. One, money. The amount of money that is being poured into, especially state supreme court races, is just outrageous, astronomical. And of course the most expensive one so far in the history of the country was the Fifth Judicial District in Illinois in 2008, I guess, or 2006—a race that cost 9.3 million dollars between the two major candidates in the final election. Absolutely outrageous, and not only in terms of cost, but many of the judicial races are becoming as—if I may use the expression—partisan and nasty as regular political races.

Of course the whole idea is that's **not** how you should be choosing your judges. That is a pattern that's been taking place all over the country, where they do still elect particularly the state supreme court races. It is often attributed to a decision in, I think it was 2004, or 2002, by the National Chamber of Commerce, to raise I think it was 6.5 million dollars and pour it into state supreme court races. And that is often thought to have been the trigger that started this process, really got it going. And now you've got hideously expensive races: Ohio, Michigan, Texas, Alabama, Illinois, et cetera. And not only expensive, but as I said, very nasty in many cases, and it's getting worse. I mean, it's building up. There are going to be several in this next election cycle that we think may even surpass our infamous supreme court race in Illinois, the 9.3 million one. Yes. It's **absolutely wrong** to **choose judges** that way.

DePue: Well, I want your personal opinion on the subject of the philosophical view towards a constitution and what judges should do in that respect.

Netsch: Well, of course personally, I'm obviously not a strict constructionist, not an originalist, as they're often known. You know, the constitution is a living, breathing document. I would have to tell you that the races that I have been talking about, the state supreme court races primarily, do divide in part on that, but much more they divide on the conservative business versus the other side. Just to illustrate, that—

DePue: The role of regulations over business, things like that?

Netsch: Well, yeah.–and particularly in the area of tort liability. The race in the Fifth District in Illinois, which is the most infamous still: on one side, the money was primarily the business community, insurance companies, and on the other side, trial lawyers. So it was special interests, if you will, on both sides. A lot

of the supreme court battles that have been taking place over the last almost decade now and are continuing to take place, tend to line up business versus non-business. Sometimes it's the unions on the other side, or it may be consumer groups or the trial lawyers against the business interests: the Chamber, the manufacturers, the insurance companies, et cetera. The philosophical thing that you are talking about, the strict construction versus the non-strict, plays into it, but those things take place more in the **federal** courts than they do in the state courts anyway. So.

DePue: Okay, very interesting. Now, I know that you got involved with one organization—I hope I can pronounce this right—the American—

Netsch: Judicature Society.

DePue: Judicature.

Netsch: Yeah, judicature. American Judicature, which was actually formed in Illinois, really, in 1913—we're about to have our centennial pretty soon—really invented merit selection. It grew out of a concern about the corruption in the selection of judges and the corruption in the judiciary in a number of places. It basically came up with the program that became known as merit selection. We are the only national group, totally non-partisan, made up of lawyers **and** non-lawyers. And a lot of judges are members of, and active in AJS. In fact, our current president just retired as an appellate judge in Florida, as a matter of fact. Judicial independence is sort of our main overreaching goal, I guess you would say, or mission. Judicial selection is something that we still spend a **huge** amount of time on. We also spend a lot of time on the jury system, trying to make it work better and more responsibly.

We've gotten a little bit into one aspect of criminal law; that's not basically our thing. We just finished the first field report on the acceptability or reliability, really, of eyewitness identification—of course, it's not terribly reliable—and put out a report that, interestingly enough, was just reflected in part in a very dramatic decision that the New Jersey Supreme Court made almost at the same time that our final report came out, which is if you're going to use that kind of evidence—the , the eyewitness—you've got to go through a whole list of things to try to make it more reliable. Which was quite interesting.

It fit right in with one of the things we'd been doing. But we're very, very interested in that part of it—as I said, in the jury system and judicial selection. And in judicial conduct. One of our staff members who's been with us for a long time is probably the leading, I would say guru in the country, on judicial conduct and judicial discipline. She puts on a college every other year for judges from all over the country who come and hear about what's going on with respect to ethics and all of the surrounding things with respect to the judiciary? So that's another **major** contribution we made.

DePue: I know that campaign reforms, ethic reforms, are very much part and parcel for what you've been doing for the last 15, 20 years after—

Netsch: Yeah, two centuries, actually, I say, yeah.

DePue: But before we get to that, I'm going to go to politics, because there's a direct connection. I want to get your reflections on the George Ryan administration.

Netsch: Well, for a lot of us, it was sad in two respects. You know, George by one token was a very old-style, old-fashioned politician.

DePue: Would you count him as a personal friend?

Netsch: (short pause) I suppose so, yeah. You know, we weren't close in any way, but we had a **very** cordial relationship. I don't know that I would think of him as a personal friend, but yes, we certainly knew one another. In fact, we ended up being on the same side the first time we had the twenty-year vote on whether we should have another constitutional convention. And he was, I think, the sole chair of the committee that was holding hearings and hearing from everybody before we actually had the referendum. I was obviously very active. I don't think I was a co-chair; I think I was just very active on the committee. So George and I spent a lot of time, because we had the same position on that, kind of working together and attending the hearings and all that sort of thing. And then there were other issues on which we had some interconnection. But the answer to your question was yeah.

On the one hand, he had many of the hallmarks of the old style politician. You know, you take care of your friends, patronage, you do all that sort of thing. And clearly he—I think clearly—allowed the fundraising that was totally **in**appropriate to go on while he was Secretary of State. I have no way of knowing how much he literally knew about all of it, but he must have known the system was there, because it had been there.

DePue: Were you hearing such things when you were Comptroller and he was Secretary of State?

Netsch: I don't remember hearing one way or the other, particularly, but we probably would have assumed that there was a lot of fundraising that was taking place.

DePue: Inappropriate fundraising.

Netsch: Inappropriately, yeah. On the other hand, there are a lot of us who say (laughs) he was one of the better governors we've had for a while because he **cared** about things and got **involved** and didn't just sort of sit back and let the legislature do its thing and then maybe express an idea or whatever. I mean, he really was very much involved in an awful lot of the issues. Even though I think it probably ended up being too much, he was dead right that we needed a major public works program. There had not been one for, I think it was about

ten years, and that's a critical part of keeping this state up to snuff so that it **can** be an attractive place for business.

DePue: Well, I think Thompson—was it Build Illinois under the Thompson administration?

Netsch: Thompson was Build Illinois, and—

DePue: Ryan was Illinois First, is that right?

Netsch: Illinois First, I think it was called. Yeah. And he was quite right about that. Now, as often happens, it either gets overblown or it gets a little too laden with the special projects for special legislators, which may not be the most important thing. But basically it was the right thing to do, no question about that. I remember on Patient's Bill of Rights—I was not in the legislature, but some of my friends who were working on something like that said he really helped out enormously on something like that. There were just a lot of issues on which his idea was, you're part of the process, and you don't sit back and sort of be above it all.

DePue: Here's another one that was very much part of your campaign in 1994, that became an issue, and then became a signature issue for Governor Ryan in the closing days of his administration: the death penalty issue.

Netsch: Yeah, right.

DePue: Your views on his position? The question always comes up: Was he sincere, or was he just doing that to distract?

Netsch: Yeah. I remember once while he was still in office, the Center on Wrongful Convictions had a fundraiser—they were somewhat more modest fundraisers in those days—but I remember for some reason it was over at the Museum of Contemporary Art, I think. George was one of those being honored that night and there were a bunch of cynical reporters around. I remember a couple of them saying, "Oh...he doesn't… " And I said, "Unh-uh, I think you're absolutely **dead** wrong."

I sat at least on the periphery, and once in a while a little more than that while all of this was going on, because Larry Marshall, who was part of our faculty and a very beloved friend of mine, was **very** heavily involved in the anti–death penalty thing and spent a lot of time on the wrongful convictions and a lot of time with George Ryan. George, of course, made the announcement here at this law school, in part for that reason. So I saw this up a lot closer than a lot of people, probably, as a result of that. There is no question in my mind that what happened was that he had always been pro–death penalty and never even thought about it much, but when he was there and realized that he was the last person who stood between somebody living and dying, and when he began to see the **number** of wrongful convictions that

had taken place in Illinois, no question in my mind that it absolutely got through to him. What he was doing in commuting all of those death sentences I think was very, very deeply sincere. I do not think it was a game or a show or anything like that. I really believe that. So. And obviously that's something that I also feel very strongly about that he did. And that, of course, reflected my views, I must admit, because I had been pilloried for my views on death penalty when I ran for governor by my opponent, among others. So obviously I felt that.

But the other part of it was, I mean, he was willing to do things, take the lead on—for cripes sake, he led a group to Cuba, (laughs) which, you know, **everybody** ought to be doing. To some extent, they are, a little bit more. But the idea of a conservative, downstate Republican going to that **Communist...** But he said, "They're nearby. They're trading. They should be trading partners. We've got lots of things we'd like to sell to them." I mean, there were just a lot of issues on which he took a very active—not always liberal position—but an activist position.

DePue: Well, it strikes me, when you were critical of what happened during the Edgar administration, these are the kinds of things that you didn't see Edgar doing?

Netsch: That is correct, yeah. And that was a good part of my problem with Jim Edgar. A perfectly nice guy. We got along fine. But he, actually, in some ways, probably more than George Ryan, because George went into the governorship with a shadow already over him. Edgar never had anything like that. He was always the nice guy next door, the nice boy next door or whatever. And he could have done **so** many things that needed leadership and a little bit of stand-up-and-be-counted, and that just wasn't the way he was.

DePue: When we started this conversation about George Ryan, I think the term you used was "tragedy;" it was tragic what happened to George Ryan. And of course in the old Greek tragedies, a good man, fallen down because of his own internal shortcomings?

Netsch: No. Well, that was—

DePue: I said that unartfully, but...

Netsch: I think that was the essence of a lot of the more traditional Greek tragedy. I suppose the shortcoming… It's interesting. I don't think of it so much as a character flaw as a flaw in the culture in which he grew up, the political culture, which was this sort of old-fashioned—you know, you're a politician first, in a sense, that you do allow the fundraising to take place, you do take care of your friends, things of that sort. I mean, that was the culture of the old—not just downstate, but... (laughs)

DePue: Well, I was going to say, this sounds like Chicago politics, Richard J. Daley style.

Netsch: Oh, yeah. But he wasn't the sole perpetrator (laughs) of it, if you will. Oh—

DePue: "He" being Daley?

Netsch: Pardon?

DePue: "He" being Daley or Ryan now?

Netsch: Well, Daley. I mean, that's the way it was in most of the rest of the state. I mean, my liberal, good-government friends up here didn't understand that some of what they so disliked and disapproved of in the Daley administration, the regular Democratic, was **child's** play for what went on in some other parts of the state. (laughs)

DePue: And that's a comment that you hear sometimes in reference to George Ryan. Ryan's political activities didn't change, the law changed, that his activities were defined now to be outside the law.

Netsch: Well, to some extent, that is true. You saw that also in the case of Dan Rostenkowski, I think. My guess is, well, to the day he died anyway, Dan Rostenkowski did not think he had done anything illegal or outside the frame, because that's the way he was raised. But clearly the times had changed, the standards had changed, and he had not changed with them. I think that is part of what happened to George Ryan. I get a little concerned that—and I don't think I know the answer to this, I literally don't—the extent to which he might have known there was actual lying and sort of just plain old direct fraud taking place with respect to the granting of licenses. I mean, that is not acceptable even in the old political way, I think. I'm just not quite—never was quite clear about that line.

DePue: What is your personal view, then, about his conviction right after he got out of office—of course he went out on a cloud—and his conviction and pretty lengthy term in prison.

Netsch: Yeah. Well, let me start out by saying I'm never happy when anyone who was in public office ends up indicted, convicted, in prison. A, because I don't like to see it happen, obviously, and because it also adds to what is the all-too-common perception of American electorate, that they're all no good, they all ought to be in prison now. We've always been cynical about government. There are times I think when it's worse than other times. And this, I think, is one of the very, very bad times. That hurts me, because I know how many good people there are in government, and I know how **terribly** important it is that **goo**d decisions be made by people who are in government, because they have enormous impact on what happens in everybody's life: what happens to the schools, or even what happens to possession of marijuana, or whatever it may be. We just have **enormous** impact on what goes on. It should be as straightforward and honest and decent as possible.

So I don't like to see a time when there is **so much** distrust of government, as certainly there is right now. Every time somebody is convicted, especially a high-ranking official like the governor, that obviously confirms that viewpoint of so many of the electorate, that they're all no good to begin with. That makes me very sad, so I'm never happy to see that happen. To the extent that George Ryan either—how shall I put it?—consciously allowed or clearly knew about some of the terrible stuff that was going on with respect to fundraising and fraudulent licenses and all, then I would have to say he abused his trust and should be punished. But I never took great glee in it.

DePue: Was justice served in his conviction and his lengthy sentence?

Netsch: Well, I have to say that I think it was served in his conviction—and I say that without having sat through the trial. Sentence? Ohh. I don't know. I guess it was a reasonable sentence. The only thing, I must say, I did feel so badly about, and I realize you can't do it just for special privileged people, is when his wife Lura Lynn—and they did have a very close relationship, and she was dying, and he was… I guess he did get to see her a couple of times, but—

DePue: Outside the public's knowledge, I think.

Netsch: Pardon?

DePue: Outside the public's knowledge that that had occurred.

Netsch: Yeah, as it turned out. Yeah. But I think they might have shortened his sentence at that point and allowed him to go home to spend some time with his wife. I realize that is special privilege because of his rank, and that's not something we should all applaud, but I might have done it with respect to somebody else also. (laughs)

DePue: Well, both of us have been very careful not to mention this next gentleman's name, but let me preface our conversation about Rod Blagojevich by what you just told me before we started today, because today is Rod Blagojevich sent—

Netsch: Sentencing day, yes. And I just heard about an hour or so ago.

DePue: And the results of the sentence?

Netsch: Fourteen years. It's a tough sentence. Well, it's not too far off at least the lower end of what the government prosecutors were asking for. I realize the guidelines might theoretically have allowed him to be sentenced to life in prison, but nobody thought that was going to happen. So I think you have to think of it as a tough sentence, certainly tougher than George Ryan's, but not as tough as a lot of people were expecting, I think. Although I must say my guess earlier today when we were all just speculating—or yesterday or

whenever it was—I kept saying, "I think it's going to be thirteen and a half years." I turned out to be pretty close.

DePue: Was that something that was an office pool on speculating on—

Netsch: Well, I think every office in the state of Illinois (DePue laughs) probably had a pool, as far as I could tell, on what the sentence was going to be. Again, although I so strongly disapprove of the things Rod Blagojevich was doing, but I've always thought that the most important thing, really, was not even the criminal charges and the conviction or the length of the sentence, finally, but that we got him out of the governor's office. He was **terrible** as a governor. He was making a mockery of it, I think, in every sense, and was doing us long-term **inestimable** harm. So the most important thing to me was basically what the legislature does, which was to impeach him and remove him from office.

DePue: But the legislature impeached him for reasons other than his conviction, did they not?

Netsch: Well, he hadn't been convicted at that time, right. Yeah.

DePue: But they—

Netsch: But quite rightly. They had, at least on their list, a lot of the things that he had done or was in the process of doing that **abused** his office, his power as governor. And that, it seems to me, is a much more acceptable reason for removing someone from office.

DePue: We're not talking about legal abuses but constitutional abuses, or...?

Netsch: Constitutional abuses. Some might well have been. Well, there were a few things, I think, that were legal abuses also. That is, he was spending money for things that the legislature had refused to appropriate for; I recalled that. I thought, you know, that's pretty flagrant! (laughs) So there were things that were, I think, a real abuse of his position as governor quite apart from the things that ultimately led to his conviction, which was the attempted sale, apparently, of the Senate seat, the attempted hold-up of Children's—or at least the chief executive of Children's Memorial [Hospital], and a few of those things. Some of those were sort of in the background there. But some of the other things—and I always said that when they did bring their impeachment charges, they ought to focus on the things that went **right** to the **heart** of **abuse** of the **office** of governor. And to a very considerable extent, I think that's what they did. I think given the fact that the Illinois General Assembly is not always held to high standards by most of the citizens here—or anywhere else in the country, for that matter—and a lot of other things, I think they really went through that process with a good deal of dignity and non-grandstanding.

DePue: "They" being the legislature when they impeached him?

Netsch: "They" meaning the legislature, yeah. And of course they were helped in the final trial by the fact that Tom Fitzgerald presided.

DePue: John Fitzgerald?

Netsch: Chief justice. Over the trial, the impeachment trial.

DePue: Okay. I'm going to put you on the spot here a little bit. I knew that you had served on Blagojevich's transition team. Who did you vote for in the Democratic primary in 2002?

Netsch: I voted for him.

DePue: In the primary?

Netsch: Oh, the first primary, no. Paul Vallas I voted for. No. I was very supportive of Paul Vallas. The second go-around, I didn't actively support Blagojevich. I didn't know that things were going to turn out quite the way they did, but I had lost—how shall I put it?—I was going to say enthusiasm, but I was never that enthusiastic. I sort of lost confidence in a lot of the things he was doing, so I just didn't participate.

DePue: But you did, I'm sure, go to the ballot box in 2006.

Netsch: Mm-hmm.

DePue: Judy Baar Topinka, Rod Blagojevich. Which lever did you pull?

Netsch: Oh, I voted Democratic. I voted for Rod. No question.

DePue: Even though I would assume by that time you'd had legions of people coming to you telling stories; you'd had every opportunity to read all these things, abuses of power, in the newspaper.

Netsch: No, not all of them. Not everything was known at that time. There were certain things that were beginning to be talked about, and a lot of talk about the lack of good morale in the state agencies and things of that sort. But I think some of the other kinds of things, you know, were not well known at that point.

DePue: The legal abuses.

Netsch: Yeah, yeah. I admit, I was clearly wrong. I thought, maybe if he actually gets himself reelected, he'll settle down and be a little more gubernatorial, a little more governmentally responsible. I was wrong, but I hoped that. And as much as I liked Judy as a friend, I did not think she would make a good governor.

DePue: Well, you were gracious in talking about some of the good aspects of George Ryan's administration. What good things did you see coming out of the Blagojevich administration?

Netsch: Well, he did ultimately help get our pay-to-play bill through, although he almost lost it for us. Even that, he messed up. I think the children's insurance business, the extension there, probably was one good thing he did. I think there were probably a few other things that I would just have to stop and think about at the moment, because we're so used to thinking about the (laughs) not-good things. Fiscally, I think he didn't have a clue about the state of the state's finances, and certainly not the pension aspect of it. And that, of course, is something else that's always very high on my list of important things.

DePue: In terms of the conviction and the term now that George Ryan, a Republican, is serving, versus Rod Blagojevich who will soon be serving, any regrets about him personally going to prison now?

Netsch: About who?

DePue: Blagojevich?

Netsch: No. No. Given everything that happened, even though he ended up getting no money out of most of it, (laughs) or out of any of it, I guess. But just the absolutely casual, flagrant, flippant, non-responsible approach to a **major** public office and the abuses that went along with that and the attempts, even though they were all apparently unsuccessful, to squeeze money out of his position, it's hard for me to say that he should not do prison time. I'm not sure what the term ought to be. I was guessing when I said thirteen and a half; I don't know what it ought to be. I suppose in some ways the message has already been sent and the damage to him has already been done. I mean, he's lost everything, including, of course, his law license, his reputation, everything else. I think the way he behaved during the whole period from the indictment on, you know, the media blitz was just obnoxious, just awful. One does still, though, have some sense of feeling for two young daughters and a wife. That's tough. But that he should serve time, no question in my mind.

DePue: Okay. A difficult subject for you to deal with, but your life's partner, Walter, passed away in June 2008?

Netsch: Two thousand and eight, yes.

DePue: Are you willing to talk about that just a little bit?

Netsch: Well, I don't know that I really want to talk about it so much. I mean, it's a very personal thing. You learn to live with somebody who's as unique as Walter was and you get the excitement of his creativity, his **mind** always working, and that was always part of the fun of being married to Walter. The other part of it, which, it's interesting, you can't really totally escape, is the

Walter that was there towards the end, because it wasn't Walter. He was terribly ill; he was just out of it in many respects. And to see someone who had always been so creative and energetic and full of his kind of life force just sort of wasting away and not really participating in life as he had, it's interesting. It really does make it more acceptable, because you don't want to remember Walter that way. And as I said, it wasn't Walter. So that sort of helps to bridge the gap.

DePue: I'm going to ask you a somewhat impolite question, but I'm dying to hear. Your office is right across the street from a relatively new Museum of Contemporary Art here in Chicago, right on Chicago Avenue. What did Walter think about that building?

Netsch: **Ugh!** (DePue laughs) Same as I think about it. The thing that's **so sad**, Walter was on, I think it was on the original board of MCA. It was always a standing internal joke. Joe Shapiro, who was basically the person who was the guiding light and the everything for creating the Museum of Contemporary Art here in Chicago. Walter said Joe (laughs) talked to him once, and he said, "We need a token non-Jew on our board. Will you please come on our board?" to Walter. (laughter) He always thought that was kind of marvelous. Because it's true. A lot of the founding members of MCA were Jewish, and a lot of them had basically been sort of shut out of the Art Institute world, which had been a very sort of snooty and upper-crust, et cetera. I think the only Jewish members for a long, long time who were accepted in the Art Institute world were the Blocks, particularly Mary and Leigh Block. Of course the Art Institute is known for great art collections, especially the impressionists and all kinds of other things, but had never been that big on sort of current, modern art.

I think the frustration was in part what led people like Joe Shapiro to found the Museum of Contemporary Art. Joe was really **the** guiding light for it. I think Lew Manilow was in on it from the beginning, and a few others. So they really wanted a place that fully loved and respected and would keep moving ahead with the changes in modern art. The thing that was so **sad** was for this great idea to get housed in something that looks like a Soviet prison, for example. I'm sorry. I know there were nice people who were on the committee that decided on the architect who would be selected for it, but to me it's just so hard to believe that these people who were passionate about modern art would allow **that building** (laughs) to look as **grim** as it does.

DePue: Well, that's an interesting note to kind of wrap things up on. There are few questions to ask you to reflect on a long life. I'm going to ask you to read a couple passages from Cynthia's book, but these are your quotes, so we're going to get your quotes and your voice. It's what I have highlighted here on page 276 and 277 and then what I have highlighted on 278. Then I'll get you to reflect on what you have read.

Netsch: Okay. Not much, because I'm due at the doctor pretty soon.

DePue: Absolutely. Yeah. We're at the end, so.

Netsch: Okay. You want me to read this?

DePue: Yes.

Netsch: It says, "Although she is reluctant to generalize, Dawn also believes that women are," quote, "less militaristic on issues of war and peace than men and more likely to favor protecting the environment, racial equality, and laws that control social vices such as drugs and gambling." Yeah, that's right. "Women are more likely to bring citizens into the process. Women are more likely to opt for government in public view rather than government behind closed doors. Women are more responsive to groups previously denied full access to the policymaking process." All true. And that's not just coming from me, by the way; there have been a lot of surveys which have been done over a period of time which really were the basis for a lot of this, many of them done by the Center for American Women in Politics, which is part of the Eagleton Institute, which is part of Rutgers University. They've been at this for a long, long time. Okay.

Here's something else. "Over time, I came to realize that as long as this pattern was taking place, it was harming women professionals because they were being excluded from full participation. The fact that boys wanted to be with boys I never found offensive; it's when it begins to be not just their camaraderie but to impinge on the careers, credibility, and participation of women professionals that there is a problem." I assume that referred to the fact that women were excluded from clubs and lots of other places for a long period of time.

DePue: But also into the political arena.

Netsch: Yes, right.

DePue: I think this is in context of...

Netsch: And I think I still feel that way. For example, I probably momentarily had a problem with the idea of the Young Women's Charter School, which is all women and part of the public school system. Joan Hall among others was probably the founder, the most influential person in putting that together. And I know there are a few places where there are all-boys schools now too. And my first thought: Mm, that goes against what I've always been for. But no, I don't think that's necessarily true. I think there sometimes are advantages for women being together, even in their educational process, and contrariwise for boys, men, being together. The thing that literally got to me was when this exclusionary process ended up really **denying** women the opportunity to do what they wanted to do. Again, I don't object that boys want to be with boys or girls want to be with girls, but when those lines stand in the way of women being able to fulfill their career interests, then it's wrong, absolutely wrong.

DePue: And what we just read here is very much a reflection of those issues and those passions that have animated your entire life. I think that's fair to say.

Netsch: I think so.

DePue: So I wanted to ask a follow-on question here. Then what are we to make in this last election cycle and last couple elections where now there are very powerful and influential conservative women who are rising to the top. Sarah Palin and Michele Bachmann are the two most prominent, but certainly not alone in that respect.

Netsch: Yeah. No, they have a right to exist and then get out on the horizon. I disagree with them, and I think in some cases I was embarrassed, really, by Sarah Palin because I thought she came through as very shallow, very uninformed, which is embarrassing for anybody in politics; I guess I feel it a little bit more when it's a woman. But the fact that she's conservative and has different points of view from mine, that's her right.

DePue: Perhaps the irony is that you and many like you were blazing the frontier to make that happen, make that possible?

Netsch: I guess that's right, and I'm not going to apologize for that. In fact, I used to get ticked off sometimes during sort of the height of the feminist movement, when somehow it became unacceptable and undignified, I guess, for a woman to be a homemaker and stay at home, raise the kids, take care of things. It was looked down upon. It was looked down upon patronizingly. And I thought, that's not right. You know, I may not want to be that way, and I certainly want another woman who has the same views as mine to be able to be whatever she wants to be. But if a woman decides that's what she wants to do, I think it's terrible to make it seem as if it's sort of a second-class citizen. In fact, what she's doing is probably ten times as difficult as what some of us are doing anyway, if she's staying home and taking care of the kids and the house and everything. I really used to get very annoyed with that. I think that has toned down a little bit now. I don't get the sense that the Steinems of the world, for example, look down upon marriage and child-rearing and that sort of thing as kind of beneath them, which is good.

DePue: Well, to keep my promise to get you to your appointment and to wrap this up, I wonder if you'd be willing to reflect on your long career, colorful career, in politics and to pick the thing that you are most proud of, the contribution that you're most proud of.

Netsch: Whew. Well, I suppose it would be hard to pick out an individual issue. There are a lot of them on which I do take a little bit of pride. I saw the pension problem long before others and tried to do something about it. I saw what I think is the increasing concern about the independence of the judiciary in elected states. Obviously women's issues, Family and Medical Leave, the

whole sexual, I mean, and a lot of the fiscal stuff. But I'd have a hard time picking one thing over another out of that.

I guess if there's one thing (laughs) I might like to be remembered for, is that I did get through a long period of time in the public sector and on the periphery of the public sector, with, I think, my integrity and credibility more or less intact. And I do pick up that a lot, maybe because people think I'm not going to be around much longer. (laughs) More and more it seems to me that people are saying to me, Thank you so much for what you've done to, you know, whatever. Given the way in which people in public life are unfortunately regarded right at the moment, I guess that's something to feel good about.

DePue: I can't think of anybody else on the Democratic side who the Illinois public would refer to and think of as the elder statesman of the party than you, that you would be the person. You mentioned it yourself: people still come to you and ask for advice if they want to jump into the political system.

Netsch: Yeah, there is still a lot of that. Right. So. I should feel good about that, and I guess I do. (laughs)

DePue: Anything particularly disappointing to you in that long career?

Netsch: Oh, yes. The things that I couldn't get done! (DePue laughs) Jeez. Judas Priest, you know, I'm still working on half a dozen major things. In fact, it was interesting: I was saying at the press conference this morning when the woman asked me, "You've been around ethics reform for a long time. Do you have any optimism?" And I said, "Well, one of the things you have to understand is it frequently takes a long time to get things done, so you do have to have a sense of timelessness and patience, no question about that." I think about that in two of the hot social issues. One is not so hot anymore, and that is the role of women. It was looked on entirely differently when I was starting out, both in teaching and certainly in politics. The attitude toward people in the GLBT community, the gay and lesbian community. I have a hard time explaining to my friends, who are numerous, in that community, unless they've been around for a while. I said, "You folks have **no idea** how recently one didn't even mention the subject." That is a **major** societal, cultural change; it's been very dramatic and really very swift under all the circumstances. I don't mean that everybody's moved in that direction, but compared to the way it was even a decade ago. A lot of that is generational, **no** question about that, I think. So—

DePue: So both a regret and a sense of accomplishment in some of those things.

Netsch: Yeah, yeah. Right.

DePue: Obviously you haven't stopped working on these by any means.

Netsch: No, I'm still working on the issues I haven't resolved yet. And I—ah! (laughs)

DePue: Well, we need to get you to your next appointment. This has been very important. You played such a pivotal role in Illinois politics over the last few decades. I really appreciate your taking quality time out of your very busy schedule to do this, and I've thoroughly enjoyed every session.

Netsch: Well, thank you. I've enjoyed—even though I've had to do most of the talking. (laughter)

DePue: By design.

Netsch: Right.

DePue: Any closing comments, then, senator?

Netsch: Yeah, this is all about women too. No, it's just, if my story is any benefit in suggesting that people can do things in the public sector and win them all—sometimes you lose more than you win—but that it's worthwhile, and that what is terribly worthwhile is maintaining your own sense of integrity, because that is important not just to you, but it's important in what you convey to the public, to help them hopefully in time get over this terrible distrust and dislike of government. Because government has an awful lot to do with what happens to everybody's life, and it's just not right that people feel that way about it. And it's not right that they're sometimes given reasons for feeling that way about it. So some of this will balance out over a period of time, I hope. And that's very, very important, I think.

DePue: Thank you very much, senator.

Netsch: Thank you.

(end of final interview, #12)