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Lawmakers: Madigan memo more posturing

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Doug Finke, GateHouse News Service

SPRINGFIELD, Ill. - Area lawmakers said Wednesday they view the impeachment memo circulated by Illinois House Speaker Michael Madigan as posturing in a political climate that has largely become about posturing. But while they see the memo — which gives talking points to Democratic legislative candidates on the subject of impeaching Gov. Rod Blagojevich — as just another political gotcha, they're also worried it could further damage efforts to balance the state budget and pass a public works construction program.

"It doesn't make it easier, but it shouldn't stop the whole thing," said Rep. Frank Mautino, D-Spring Valley. "It's another unneeded distraction at the 11th hour."

"I think it is a shot across the bow about coming back into session," said Rep. Rich Brauer, R-Petersburg. "I think the memo is the speaker saying, if you (Blagojevich) want to play games, if you want to veto the budget we just passed, this is one thing that is going to be gaining momentum. I think it is about posturing."

"The timeliness of it is not very good when we are trying to consummate a budget and a capital bill," said Sen. Larry Bomke, R-Springfield. "It depends on how the governor acts. If he takes umbrage, we have a problem."

The 14-page memo gives candidates a blueprint for talking about beginning impeachment proceedings against Blagojevich, who is likened to a "tumor" that should be removed. It lists three broad areas that justify the Democratic governor's impeachment, including ongoing federal investigations of his administration, that his legal problems are so distracting he cannot effectively govern, and that Blagojevich has violated his oath of office by exceeding his authority.

The memo lists 30 instances of "misdeeds and malfeasance" ranging from trying to bypass the General Assembly on health-care expansion to not keeping promises to not working enough in Springfield.

The memo also gives suggested answers to questions candidate may get when they call for Blagojevich's impeachment.

"I read it as a memo written by political staff for a political candidate in a (hotly contested) race," Mautino said. "Nothing in it has not been reported before."

"It just gets sillier and sillier," said Sen. David Koehler, D-Peoria. "I wish we could get back to the business of a budget and a capital bill. Everything in Springfield at this point is strategy and pressure. It's all part of the impasse."

Kent Redfield, a political scientist at the University of Illinois at Springfield, said the memo was "heavy-handed and not very artful," and could actually benefit Blagojevich.

"It becomes about the speaker picking on the governor," Redfield said. "What does this do for negotiations? It helps the governor to say the speaker is out to get me and he's the one causing the problems. It's not very helpful to the speaker at all."

Rep. Raymond Poe, R-Springfield, said he hasn't figured out if the memo is strictly a political document for candidates or a signal that Madigan actually plans to go forward with impeachment proceedings. If he does, it will be a first for Illinois.

According to the Legislative Research Bureau, throughout the state's history, which includes four different constitutions, no governor has been impeached.

Only one judge was impeached in 1833, but he was not convicted by the Senate. (The General Assembly in 1843 tried to remove another judge by supermajority vote, but failed to do so).

In 1977, a special House committee held hearings on whether to impeach former state Supreme Court Chief

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Justice James Heiple, but voted against it.

The state Constitution does not specify what is an impeachable offense. Ultimately, it comes down to whether a majority of the House (60 members) decides something Blagojevich did warrants his impeachment and subsequent trial by the Senate.

Ronald Rotunda, a former law professor at the University of Illinois, wouldn't comment specifically about this situation, but said lawmakers generally must be careful with impeachment.

"Simply because it takes a majority (to impeach) doesn't mean whatever you do is right," Rotunda said. "The authority is not carte blanche to do whatever they want to do."

Brauer said the Democrats are "building a pretty strong case" for impeachment, while Koehler said he doesn't think Blagojevich has done anything to warrant it.

"At this point, it's mostly a disagreement about policy," Koehler said.

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