

The black hole in the Illinois legislative process

By Jim Nowlan

This is the third in a series of columns on “politics and policy in Illinois.”

Ever since the Athenian assembly of 500 condemned Socrates to death in 399 BCE on trumped up charges, legislating has been a messy affair.

The Illinois General Assembly is another legislative body with a checkered past.

In the late 1800s and into the 1900s, there was an end-of-session “jackpot” from which the powerful interests awarded payments to lawmakers on the basis of how well they had supported the interests during the session just ended.

In 1909, 40 Democratic state legislators received bribes of \$2,500 each (when a new Model T cost \$750) to cross party lines to send Republican William Lorimer to the U.S. Senate, where he was subsequently expelled because of the wholesale bribery.

By the 1960-70s, however, good-government sorts were pushing to modernize state legislatures and make them less dependent on governors and the powerful interests.

For example, in my first year as a House member (1969), I had no office, no staff help. To make telephone calls, I had to go to a row of phone booths just off the House floor.

[I utilized an unpaid college student at Augustana College to help me draft legislation to require reclamation of land strip-mined for coal, my big initiative.]

As a result of the reforms, the legislative branch today has scores of staff analysts, and lawmakers have \$69,000 a year to use for staff and an office(s) back in the district.

And in my brief four years in the legislature, encouraged by the reformers, lawmaker pay went from \$9,000 annually to \$17,500 (\$104,000 in today's dollars). I always voted No and prayed Yes on pay raises.

The big difference, however, between my years as a lawmaker and today is that power in the legislature has been sucked into a black hole from which no light is emitted.

At the center of this darkness is House Speaker Mike Madigan, a legislator since I was there in 1971!

In my day, every one of the thousands of bills introduced was assigned to one of maybe 10-15 substantive committees such as appropriations (spending), education, agriculture.

Every one of those bills, even if introduced by a green-as-grass freshman like me, received a full hearing in committee.

If the committee gave my bill a positive vote, it went to the House floor where the proposal also always received a hearing and vote.

Today, in starkest contrast, the House Rules as crafted over the decades by Madigan, and for one term by GOP speaker Lee Daniels (1993-94), have put all the legislative power in a Rules Committee controlled by Madigan.

All bills are first referred to the Rules Committee. This panel determines whether a bill (and in recent years even amendments to bills!) shall ever be heard and voted upon by the members in substantive committees and later on the floor.

Even if a bill reaches committee and receives a unanimous vote, there is no assurance the bill will ever be called later by the speaker on the House floor.

So Madigan has all-powerful, but negative, control over all bills. He cannot necessarily pass a bill, but he can block absolutely any legislation.

[(By the way, House Rules are proposed and approved by the members at the beginning of each session on a partisan roll call, so the members reap what they sow.)]

Since money follows power, the interests contribute most of their money to the Speaker, who determines to whom he will dole it out for campaign purposes.

The Speaker has also atomized policymaking among 53 committees, way too many to ever craft comprehensive, big picture legislation.

The General Assembly has always operated on the basis of individual bills, about 6,000 each session, almost always narrow in scope.

Individual members propose bills. Interest groups also craft bills and ask sympathetic members to introduce them; the governor's office does the same.

As a result, even though there are many smart lawmakers and staffers, there is almost no focus on, maybe not even interest in, big picture topics such as:

- comprehensive revenue reform (badly needed),
- the future of higher education (a sector crying for attention) and
- long-term capital needs (our state's half-century old interstate expressway arteries, providing the best coverage in the nation, are wearing out), to name but a few.

When one day they carry Madigan out of the House chamber, candidates salivating to fill the speaker's chair will fall all over themselves with promises to open up the process so rank-and-file lawmakers can once again have a say.

It will be way past time.