

SNG-Madigan-12-21-15

Madigan rules by the rules

By Jim Nowlan

A reader asked why Illinois Speaker of the House Mike Madigan is so powerful in Illinois politics.

The fundamental answer is that virtually no piece of legislation introduced in either the House or the Senate by the other 176 lawmakers can ever be enacted into law without the Speaker's okay. And this is because the House Rules, adopted at the beginning of every two-year legislative session by a majority of House members, give Madigan control over every step in the process.

It wasn't always so.

When I was first elected to the House in 1969, the House Rules of the day, combined with traditions, undergirded a process that worked as follows, in brief:

A member introduced a bill, which was given a number and automatically assigned by the Speaker's office to a substantive committee such as that on education or agriculture. Every bill received a hearing in committee, where it could be amended.

If a majority of the committee approved, the bill was sent to the House floor, where members could offer further amendments. The bill was then called by the Speaker (or whoever was presiding in behalf of the Speaker) for a vote by the full House, in numerical order of original introduction. Every bill was called for a vote.

Each member had his "day in court," you might say, for his or her bills. The Speaker could not unilaterally kill your legislation.

Today he can.

Over the decades, the House Rules have been changed to provide the Speaker full control. Running about 30,000 words, the House Rules today are three times longer than the rules in 1969.

It should be noted that many of the changes to increase the powers of the Speaker and his counterpart in the state Senate were initiated by Republicans in the 1990s when for a time that party had majorities in one or both chambers. Upon regaining majority status, Democrat leaders adopted these rules changes and added more of their own.

Today, the Speaker rules through, appropriately enough, the House Rules Committee, which was but a minor housekeeping committee in my day.

The Speaker appoints three of the five members of this all-powerful committee, all loyal members of his leadership team.

In recent decades, every bill introduced goes automatically to the Rules Committee, which decides whether to assign it to a substantive committee. If the bill is held by Rules, it dies.

Efforts to discharge a bill from the Rules Committee require unanimous consent of the House, which never occurs.

If a bill is assigned to a substantive committee and it appears the bill might be treated differently than the Speaker wishes, he can change committee membership of those in his party at will, to assure an outcome to his liking.

By the way, any amendments proposed in committee or later on the House floor are also automatically referred back to the Rules Committee, which determines if these shall ever be considered.

If the bill makes it to the House floor, the Speaker can then determine if he will ever call the bill for a vote. If he doesn't, the bill of course dies.

Because of this control, the major interest groups contribute big money to Madigan's several campaign funds. I say that is the case—unless the Speaker's office instructs the groups to contribute directly to a Speaker-preferred candidate who doesn't want to be publicly associated with contributions from Madigan.

Madigan has used this money, which until now has dwarfed that raised by the minority Republicans, to protect his loyal members and increase his majority.

[By the way, money plays a bigger role than ever. When I ran in a competitive race for the House in 1968, I spent \$26,000 in today's dollars. Now a candidate in a similarly tough race will spend half a million dollars or more, so financial help from the Speaker is critical, and remembered.]

If you don't like this process, what to do?

In 1910, progressive Republicans in the U.S. House, joined by minority party Democrats, rose in revolt against conservative, autocratic U.S. House Speaker "Uncle Joe" Cannon, Republican of Danville, and rewrote the rules of that body, curtailing Cannon's powers.

Yet Democrats in the Illinois House have shown no desire to do likewise.

Gov. Rauner is hoping to use his seemingly unlimited wealth to reduce—it is not possible to eliminate in one election—the majorities Democrats have in the legislature.

[Ironically, insiders think it possible the Democrats might actually increase their numbers in 2016 because of the gerrymandering artfully done by Madigan in 2011 and because Democrats tend to turn out in greater numbers in presidential election years than otherwise.]

Whenever Madigan steps down as Speaker, I am sure the rank-and-file membership of the House will demand rules changes that would give them more of a role in the process.

Until then, Madigan rules by the rules.