Senate Democrats Miscalculate on a Group of Bills

Written by Rich Miller Sunday, 06 January 2013 05:10

January 3 was not exactly a banner day for the Illinois Senate Democratic leadership. In high-profile moves, leadership's attempts to pass a bill legalizing gay marriage stalled, as did bills on gun control. Even a much-needed spending bill was unable to move out of committee. Pension reform went nowhere. The biggest winners were cigarette makers, of all people.

The gay-marriage bill turned out to be a dud. Opponents pointed out some serious issues with the bill's drafting, which, for instance, would have appeared to mandate that facilities owned by churches or religious groups allow same-sex marriage ceremonies. Proponents denied that, but they seemed to be on some shaky ground.

The measure was moved forward at the behest of some wealthy financial backers who appeared to dictate the timing, which is never a good thing in Springfield. Backers say that three senators who were supposed to vote for the bill were not at the Statehouse, and that kept them from passing it. But even if that were true, the drafting questions would likely have doomed the measure in the House. And the millionaire-funded media blitz just didn't work. Media blitzes, no matter how awesome to behold, aren't effective at the Statehouse if the actual bill is flawed and the votes aren't there.

On the positive side for the proponents, the Senate Republicans remained quite civil during a committee hearing on the bill. And Senate GOP Leader Christine Radogno said during the hearing that she believed a bipartisan compromise could be reached on the legislation. It looks like this bill could eventually pass. But last week's failure was still an avoidable embarrassment for supporters.

Meanwhile, an intense lobbying effort by gun-rights groups and a serious overreach by gun-control advocates derailed bills. The gun groups claimed the bills would result in a ban on a vast array of commonly used weapons and would unconstitutionally restrict gun-owner rights.

The legislation was clearly unpassable as written, and even some gun-control lobbyists were less than enthused about the task they were handed. A prominent pro-gun-control senator said privately that some aspects of the legislation were so broadly written that they would have to be removed if there were any hope of passage in the future. He said he was not involved in the bill drafting and didn't even know who was.

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As a result, Senate President John Cullerton, a staunch gun opponent, said last week that he would "absolutely" work with gun-rights groups on a compromise that includes a court mandate to pass a concealed-carry law. But he could be negotiating from weakness now that his attempts to ram through sweeping gun-control provisions have failed.

A bill containing state spending authorization for construction, new Department of Children & Family Services caseworkers, workers' comp claims, and education grants went nowhere after a revolt by rank-and-file members, mainly in the Black Caucus.

Black Caucus members withheld their votes because a bill by Senator Mattie Hunter (D-Chicago) to set up a revolving-loan program for minority road contractors has gone nowhere in the House. The proposal passed the Senate but has been sitting in the House Rules Committee pretty much ever since.

Some members were also upset that \$12 million cut from the state's mental-health budget wasn't restored. With all the talk of gun control in the wake of the Connecticut school massacre, there was no real discussion about shoring up the state's mental-health system, so the revolt against the spending bill intensified.

Last year when the state hiked the cigarette tax by almost a dollar a pack, the tobacco industry cut a deal to pass a bill that limited appeal bonds. Right now, state law mandates that bonds be posted equal to one and a half times a judgment on certain cases before the ruling can be appealed. That resulted in a required \$12-billion appeal bond years ago when Philip Morris lost a case involving Marlboro Lights. The appeal bond was lowered after negotiations, but the company has been fighting ever since to get something into law. The House passed a bill last year, but Senate President Cullerton, a visceral anti-tobacco legislator, bottled it up. It passed last week after the trial lawyers were given a neat little provision that guaranteed them higher contingency fees on big medical-malpractice cases.

Rich Miller also publishes Capitol Fax (a daily political newsletter) and CapitolFax.com.