

For Md.'s same-sex marriage bill, the speaker who changed his perspective

By John Wagner
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Just a few weeks earlier, the debate that Mike Busch presided over seemed destined to end another way.

The anguish on the face of the speaker of the Maryland House of Delegates was most evident when fellow supporters of same-sex marriage rose, including six of his seven openly gay colleagues in the chamber. One shared how much it would mean to marry her girlfriend in Maryland while her parents are still alive — her mom is 75, her dad 78.

Another pleaded for his colleagues “to make me a full citizen of this state.” A third spoke of her struggle from the time she was a little girl to square being gay with her Catholicism, a religion that Busch shares. “I prayed and I prayed and I prayed and I prayed,” she said as the chamber fell silent. “I prayed it would go away.”

Some 2½ hours after the debate began, it ended in a way it almost never does in a House that Busch soon will have led longer than any other Marylander: with the speaker on the losing side. Lacking the votes needed to pass on the floor, the same-sex marriage bill was sent back to committee, signaling its death for the year.

Busch, whose hunched 6-foot-1 frame still bears witness to the standout running back he was at Temple University, retreated to his office at the side of the House chamber. He apologized for the bill's failure to a few of

its leading supporters. They thanked him for his efforts. And then another unusual event happened: With them, he cried.

“It was a gut-wrenching process to go through,” Busch recalled later. “I could see how much it meant to the people in the caucus who are gay, how much it pained them and what it would have meant for their lives. These are people you see every day and you like and you respect and are colleagues. So I was — I was emotionally, physically and mentally spent.”

Most thought the House would be an easier sell on same-sex marriage than the Senate, which had passed the bill two weeks earlier.

Both chambers are heavily Democratic. But the House has been more liberal on social issues — and Busch had seemingly pulled other votes out of nowhere since becoming speaker in 2003. That day last month, he couldn't. Busch, who so rarely drinks alcohol he was known as “Milkshake Mike” in college, downed a cold Budweiser and headed to his Annapolis home, about a mile from the State House.

At age 64, Michael Erin Busch was not the likeliest champion of the thorniest social issue that Maryland lawmakers had debated since a high-profile abortion bill in the early 1990s. Just last year, during his campaign for reelection, Busch indicated on one of the many questionnaires candidates get from interest groups, this one from the Maryland Catholic Conference, that he supported the state's current law on marriage. It limits marriages to those between a man and a woman.

“I evolved from that position,” Busch said as he stabbed a fork into his apple and cheddar crepes at a preferred haunt, a French restaurant a short walk from the State House. As speaker, Busch has been widely credited with promoting women and African Americans to leadership posts, part of a commitment to civil rights that he said dates from his days at Temple University in the 1960s. And he had no problem with expanding rights for another class of people. But Busch bristled at using “marriage” to describe gay nuptials. “Civil unions” was his preferred term, because “marriage” brought to mind religious associations. Once it became clear that gay lawmakers and their allies planned a big push for a marriage bill this year, Busch signaled that he would give the initiative a chance — not because he believed in it personally, but because he saw it as his job to support the majority of House Democrats who do.

Busch said his personal conversion came only after he was forced to focus on the issue, through a series of conversations in the weeks leading up to the debate. Both Maryland and federal law contain hundreds of references to the term “marriage” — in matters related to health care, inheritance and tax policy.

Several gay delegates argued to him that the only way to convey those rights was to use the term. And there was something ugly about “civil unions” as well.

“It's just like ‘separate but equal,’ ” Del. Keiffer J. Mitchell Jr. (D-Baltimore), the grandson of a major civil rights leader in Maryland, told Busch.

"I thought to myself, 'They're right,'" Busch recalled. "People have always put barriers in front of people who are different than them."

Being gay was just never talked about when he was growing up, Busch said. If any of his friends were gay, he didn't know it.

He was born in Baltimore in 1947, the oldest child of a lawyer and a homemaker. Busch spent his final years of high school at St. Mary's, a Catholic school in Annapolis serving mostly blue-collar families at the time. He credits the nuns there with instilling "a value system of honesty, integrity, hard work and discipline."

A star athlete, Busch earned a football scholarship to Temple, where he broke the school's single-game rushing record and drew interest from professional scouts. Those dreams died with a knee injury his junior year.

Shortly afterward, life threw Busch something more unexpected: At age 50, his father decided he was done with family life and left Busch's mother and three younger sisters. After floating around Maryland for a few years, Larry Busch headed to Las Vegas. He didn't come back. Busch was summoned two decades later to pick up his father's belongings from a flophouse on the edge of town. The reasons for what he did remain a mystery, Busch said, and it's something that still pains him to talk about.

Busch returned to Annapolis after college and took a job teaching history and social studies at St. Mary's. Coaching opportunities presented

themselves. Still in his 20s, he was made head coach of the basketball and football teams. Over lunch, he recounted games from decades ago as if they were played last week.

Busch makes his living now as an administrator at the Anne Arundel County Department of Recreation and Parks. He has indulged his passion for coaching through the basketball and lacrosse teams of his two daughters from a second marriage, now ages 15 and 12.

Sports are a much bigger topic around the Busch dinner table than the latest bill in the legislature. Busch was not comfortable talking to his young daughters about same-sex marriage legislation but said he has little doubt how Erin or Megan see the issue. "My daughters wouldn't think twice about it," Busch said. "In all honesty, my daughters are boy-crazy, but they wouldn't have a problem with two people of the same sex being married. . . . It's not something they're closeted from, like, say, my generation. You just never talked about it. I mean, 'Leave It to Beaver' never had Aunt Martha come over with her girlfriend."

Having daughters born five decades after him can present challenges, which Busch laughed off while finishing his crepes. "My oldest daughter is concerned with what the latest movie star is doing, you know, 'Jake Gyllenhaal is hot.'"

"Gyllenhaal," an aide who was sitting nearby corrected him. "Gyllenhaal, whatever his name is. My younger daughter likes Justin Bieber or Bieber or whatever the hell his name is. I can't keep up with them."

Annapolis reveres its leaders. Oil portraits of a dozen of Busch's predecessors ring the House chamber. The building that houses delegates' offices and committee rooms is named for the previous speaker, Casper R. Taylor Jr., who lasted nine years. Busch will take the podium for a 10th year when the House reconvenes in January, the longest consecutive tenure going back to Maryland's colonial days. It is an accomplishment easy to overlook, given that Busch's counterpart, Senate President Thomas V. Mike Miller Jr. (D-Calvert), has held the post for 25 years.

Busch's ability to round up votes was evident even before he got the gavel. On election night in 2002, he gathered with supporters at a bar off the red-brick circle that rings the State House to celebrate his reelection. As results trickled in from other races, Busch, then a committee chairman, was alerted that Taylor could be facing trouble in his Western Maryland district. Around 10 p.m., Busch started reaching out to colleagues, trying to nail down support in case Taylor lost. Busch said he made calls until 2 a.m., regrouped at home and picked the phone back up at 7:30 a.m. without sleeping — all before any potential rivals had time to engage.

Since taking over in 2003, Busch has largely led through open-door collaboration, pushing health-care, environmental and education initiatives popular with a majority of the now 98 Democrats in his 141-member chamber.

The loyalty of his troops was cemented early on, when Democrats routinely faced off against Robert L. Ehrlich Jr., the

state's first Republican governor in a generation. Busch and Ehrlich had a friendship dating from their days serving as young delegates. Despite their party labels, the two former jocks had gone to football and baseball games and vacationed together in Ocean City.

In the legislative arena, none of that mattered. Busch rallied delegates to override Ehrlich's vetoes of numerous initiatives, including bills to increase the minimum wage and force a single employer, Wal-Mart, to provide better health benefits. Busch also won the admiration of many delegates for standing up against slot-machine gambling, an initiative favored by Ehrlich and Miller, the Senate president.

When Gov. Martin O'Malley, a pro-slots Democrat, took office in 2007, Busch reluctantly worked with him to pass a bill — but only after the governor agreed that voters could decide the matter. The final bill to put the plan in place passed the House with 71 votes — the bare minimum needed — after a cliffhanger of a debate that ended at 1:40 a.m. Busch had somehow done it again.

Toward the end of what would be a perfect 1978 season for St. Mary's, Busch and his football players traveled 70 miles to West Nottingham Academy in the state's northeastern corner. They remained locked in a scoreless tie with the scrappy home team when Busch took his squad off the field for a halftime talk.

"I said, 'Fellas, let me tell you this: I don't care if I go to jail, I don't care what happens,

but if we lose this game, none of you are riding home on the bus,' " Busch recalled.

A roll of quarters borrowed from an assistant was used to make his point. Busch hurled it at a nearby brick wall. Quarters scattered everywhere.

"I said, 'You better go over there and get a quarter so you have something to call your parents with, because you will not ride home with me if we lose this game.' "

St. Mary's scored on the second-half kickoff and went on to win big. Running the House of Delegates is not unlike coaching a football team. As speaker, Busch presides over 140 delegates, all with plenty of ego and aspirations. Busch assigns them to committees. He decides who will serve as chairmen and vice chairmen.

"My job is to try to get to know and understand each legislator and try to put them in a position where they're going to succeed and make them believe they're part of the product of the House — an integral part, that they're not some kind of extra that you only see when you need a big vote."

As a young coach, Busch said he made a good deal of mistakes and learned some important lessons. Among them: "To come into a locker room and scream and yell only works once a season, twice at best. If you do it every game, they become immune to it."

No quarters were scattered during the same-sex marriage debate.

Early in the session, Busch told Democrats this would be a "vote of conscience." That designation, which had been used

on abortion and death penalty legislation before, has no formal meaning. But it was a signal that there would be no consequences for voting against the party majority.

At the time, no one questioned Busch's pronouncement. Showing his colleagues that kind of respect is one reason for Busch's longevity. And advocates for the bill understood that leaning on delegates too hard could jeopardize Busch's ability to shepherd longer-held priorities through the chamber. As the vote approached, however, the "conscience" designation seriously undercut the leverage of bill supporters.

House Majority Whip Talmadge Branch (D-Baltimore), whose job it is to round up votes for Busch on tough bills, was among those who opposed the legislation. He cited his Baptist religion and the number of "Bible-carrying kinds of individuals" in his district. After hearing his position, Branch said, Busch never pressed him for his vote, which he didn't find surprising.

"I know him and respect him as a man of his word," Branch said.

Rough counts taken by same-sex marriage supporters, going back a few years, had suggested the votes would be there. Busch said he first realized the bill was in trouble when a planned vote by the Judiciary Committee was postponed because two members — both co-sponsors of the bill — inexplicably did not show up. One of the two, Del. Tiffany T. Alston (D-Prince George's), later voted against the bill in committee, a reflection, she said,

of the unexpected outpouring of opposition from churches and elsewhere in her district. She wasn't the only lawmaker who started to second-guess her position.

As support softened, Busch got more involved and his resolve strengthened. Del. Anne R. Kaiser (D-Montgomery), one of the chamber's openly gay members, recalled one meeting in Busch's office when it became clear that he had convinced himself of the bill's merits. She shot off a text message to a Busch aide: "I've never loved him more."

For a week and a half, Busch met almost nonstop with wavering delegates — not so much to lobby them, he said, as to understand where they were. On the eve of the floor debate, a final count showed supporters were still two votes shy. That morning, a decision was made to let the debate go forward — but to send the bill back to committee unless a couple of delegates changed their positions on the floor, something no one really expected.

At one point, though, Busch began to wonder. Del. Heather R. Mizeur (D-Montgomery) was speaking about her efforts to reconcile being gay and Catholic. "By the time I was in college . . . I realized that never once in my conversations with God did God tell me it was wrong," she told her colleagues. "It was the church's hierarchy that was telling me it was wrong. It was the kids on the school bus that were taunting people. . . . It was always something external to me."

As she spoke, Busch summoned Del. Maggie L.

McIntosh (D-Baltimore), the gay delegate he had known the longest, to the dais to ask if they should call a vote; given how moved he was, surely others must be.

Bill supporters quietly checked in with a number of delegates who had withheld their support. Some appeared at peace with their opposition. Others said they wished they could support the bill but feared it would hurt them politically. No one would budge.

Gasps could be heard from the gallery a short time later when a motion was made to send the bill back to committee, ending its consideration for the year.

Maryland's 90-day legislative session ends Monday. There has been finger-pointing over same-sex marriage in recent weeks but surprisingly little of it directed at Busch. Although some advocates have privately wondered if he could have pushed harder, others have been very public in their praise for how far Busch came. Supporters say they will try again next year. If their journey is not completed then, it will be one day, Busch said.

"I believe it's going to get there eventually, on its own time," he said. "Whether I'm here or not."