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## Miller Reaches Limit On Compromising

Md. Senator Draws Line With Ehrlich

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He was the last man left standing after an election that turned Maryland politics upside down.

Parris N. Glendening was gone, his handpicked successor felled by a Republican who quickly swept the governor's office clean of Democratic administration veterans. Casper R. Taylor Jr. was gone, too, the powerful House speaker defeated by a mere 76 votes in his Western Maryland district.

Of the three men who had ruled the State House for much of the past decade, only Senate President Thomas V. Mike Miller Jr. remained -- tarnished by an ethics scandal and challenged by the loss of all four Senate committee chairmen but still firmly in command.

Since the General Assembly convened in January, the Prince George's County Democrat has generally played bipartisan partner to Republican Gov. Robert L. Ehrlich Jr., offering his strong backing and political savvy to the governor's effort to legalize slot machines in Maryland.

Last week, however, the honeymoon ended. And in the unfamiliar terrain of divided government, the veteran Senate president established himself as the dominant force in a State House full of rookies.

"He's the most astute politician around here. He plays this thing like a fiddle," Senate Minority Leader J. Lowell Stoltzfus (R-Somerset) marveled after a tumultuous week. "He'll let you win sometimes. But everything he does and says is calculated."

Annoyed by fumbling in the governor's office on slots and other issues, Miller last week embarrassed Ehrlich twice in a fit of frustration. The last straw, he said, was Ehrlich's refusal to compromise over his embattled nominee to head the Department of the Environment.

For days, Miller had shuttled between Ehrlich and Sen. Brian E. Frosh (D-Montgomery), the Senate's leading environmentalist, trying to broker a deal. He persuaded Ehrlich to set up a secret meeting. He dragged the senator to the rendezvous. And he ordered the governor's aides out of the room so the two men could talk alone.

In the end, Ehrlich chose to stage a partisan showdown rather than cut a deal with Senate Democrats. Furious, Miller fought back.

First, he rallied the Senate to reject Lynn Buhl for the post, making Ehrlich the first governor in Maryland history to be denied a Cabinet appointment. Then he announced that he was throwing out Ehrlich's "bungled" slots plan, the centerpiece of the governor's legislative agenda. This weekend, members of the Senate budget committee started drafting their own plan from scratch.

"Maryland has the most powerful chief executive in the country. Ehrlich has got almost unlimited power. But Mike Miller controls the Senate," said Sen. Richard F. Colburn (R-Dorchester). "He tries to be reasonable, but . . . the Buhl nomination was a clear shot across the governor's bow."

Last summer, some political observers predicted that Miller wouldn't survive another session as Senate president. He had been reprimanded by a legislative ethics panel investigating claims that he lobbied judges to approve a redistricting plan favorable to Democrats. Ethical concerns deepened this year with revelations that a national campaign fund under Miller's control had accepted massive donations from gambling interests while Miller was emerging as a major proponent of expanded gambling in the state.

But no one emerged to challenge Miller, and he quickly set about securing loyalties in a Democratic caucus that is more liberal and more female than ever before. After losing all four committee chairmen to retirement or electoral defeat, Miller assembled a new leadership team carefully calibrated to reflect seniority, talent and diversity in race, sex and geography.

Today, Miller's authority in the Senate is uncontested.

"He's such a good politician. He's got so many moves," said Frosh, the new chairman of the Judicial Proceedings Committee.

Miller, 60, arrived in Annapolis in 1975, a backslapping rural conservative opposed to abortion and gun control and described by his own mother as a "male chauvinist pig." Schooled in Prince George's County machine politics, Miller rose to the Senate presidency in 1987. Two years later, he derailed his budding campaign for governor when he called Baltimore a ghetto and a war zone in an interview broadcast on local television.

Since then, Miller has softened his actions and established himself as a sophisticated student of history and human nature. He no longer cares much about most issues; aides say they have a hard time getting him to read his own bills. But he is keenly attuned to the needs of his members.

Frosh, a liberal who has butted heads with Miller, described him as "a master at the game. He's an easy person to like, which has a lot to do with his success. But the next thing you know you've been flattened."

Miller's reputation as a political operator touched off wide debate over his motives in the Buhl saga. After Ehrlich won the governor's race, bringing divided government to Maryland for the first time in decades, Miller promised him a "honeymoon." It was a surprising statement coming from Miller, a fierce partisan who has tried through redistricting to purge as many Republicans as possible from the General Assembly. Until recently, that's just what Ehrlich got.

While the more progressive House attacked the governor's slots plan, Miller dined with Ehrlich regularly. He sat by Ehrlich's side when the governor presented his slots proposal to the Senate Budget Committee. And he joined Ehrlich in criticizing House Speaker Michael E. Busch (D-Anne Arundel) for demonstrating "followership" on the slots issue.

In return, Ehrlich allowed a number of Democrats to keep lucrative state jobs, including Miller's law partner, John R. Webster, who is paid more than \$100,000 a year as a member of the Maryland State Workers' Compensation Committee.

"Philosophically, in the past, he's been a more moderate Democrat," Ehrlich said. "No one should have been surprised that we could work together."

By late February, the relationship had grown so cozy that some Democrats started to grumble. Then environmental activists, a key Democratic constituency, announced their formal opposition to Buhl, and lawmakers from both major parties say they suspect that Miller began to view her nomination as a useful political tool.

By blocking Buhl, these lawmakers said, Miller could appease his left wing, distance himself from a governor who was looking increasingly clumsy and fuel perceptions of Ehrlich as anti-environment, a potent issue for the governor's race in 2006.

"The Senate took a lot of criticism over being joined at the hip with the governor on slots. [The Buhl vote] gave everyone who's been criticized on slots an opportunity to burnish their environmental and Democratic credentials," said Del. Peter Franchot (D-Montgomery), a leading slots opponent.

In an interview, Miller rejected that analysis. "I know people think I don't stand for anything. Which is true for most things," he said. "But I really do care about the environment."

According to Miller, Frosh and Ehrlich, Miller did not set out to give the governor a black eye on Buhl. "I honestly believe Mike wanted it to go away," Ehrlich said.

What happened was this:

On March 3, the Senate committee that vets gubernatorial appointments unexpectedly voted to reject Buhl after her lackluster performance during the confirmation hearing. Buhl failed to answer key questions about how she would handle environmental policy and, at one point, admonished inquisitive senators to decide whether to confirm her based on her credentials rather than "specific issues."

Miller was among those voting no. The next day, he urged Ehrlich to withdraw the nomination, calling Buhl unqualified.

Instead, Ehrlich ratcheted up the rhetoric. After threatening to deny environmentalists "a seat at the table" in his administration, Ehrlich aides pulled his support from a bill to increase penalties for polluters.

As Frosh began persuading Democrats to vote against Buhl on the Senate floor, administration officials visited his office and offered to cut a deal, he said. Among the options: Avoid a vote on Buhl and allow her to serve for a year on a kind of probation.

On Thursday at breakfast, Ehrlich asked for Miller's help. Miller told the governor to work things out with Frosh and offered to arrange a meeting.

On Friday afternoon, Frosh said Miller dragged him to the governor's office "by the ear, like a teacher dragging a kid to the principal's office." Ehrlich offered Frosh anything he wanted in exchange for Buhl's confirmation. Miller ordered Frosh to get back to the governor "right away," so Frosh called the mansion Friday night.

Ehrlich returned the call Saturday, and Frosh laid out his terms: Cancel the vote on Buhl and let her stay on probation as secretary, hire a new deputy secretary and give environmental groups a voice in choosing the members of a powerful commission that works to protect the Chesapeake Bay.

Ehrlich asked for two days to consult his team and promised not to lobby Democrats in the meantime, Frosh said. But by Monday, with no response from Ehrlich, word started filtering in from Democratic senators that the governor had renewed his lobbying efforts.

Miller was furious, Frosh said: "The volcano started to erupt sometime around noon."

Not only had Ehrlich broken his word, Frosh said, but his team also was accusing Miller of playing politics.

"What pissed me off is until that point in time, I hadn't lobbied a single senator," Miller said.

Moreover, he said, canceling the vote on Buhl was the administration's idea. "I had to beat Brian over the head to even consider it. To have this person in place for a year was a major concession on his part."

Ehrlich finally told Miller: Sorry, no deals. A governor is entitled to have his Cabinet confirmed, period.

"Standing on principle, on the merits, is never a loser," Ehrlich said in an interview. "People voted for a change in the political culture. . . . I'd rather have my nominee, but I was willing to lose on principle."

Miller warned Ehrlich that a vote on Buhl would inevitably deteriorate into a partisan brawl -- one that Miller was determined to win. Ehrlich said, in essence, fire away. And so, on Tuesday, Buhl went down, with the Senate voting against her 26 to 21.

Afterward, Ehrlich told reporters that Miller had broken his promise to let senators vote their conscience on Buhl. "There's a question of credibility in the short term," the governor said.

Miller expressed "frustration" with Ehrlich's "inability to control the far right side of his base."

"The extremists on his side insisted that it had to be a [total] victory for the Republican Party," Miller said. But "governing means mutual forbearance. He has to learn that half a loaf is better than none."

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