

# 'Old School' Lawmaker Frederick Malkus Retires After 48-Year Career

BY TOM STUCKEY

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When Frederick Malkus started his legislative career, Harry Truman was president, Jackie Robinson broke the color barrier in baseball and the General Assembly was all white and almost all male.

In 48 years as a delegate and senator, the Dorchester County Democrat watched the state budget grow from \$60.4 million to \$12.5 billion. He observed, and sometimes fought, the end of officially sanctioned segregation in Maryland.

And he battled every inch of the way in a losing effort to prevent urban counties from seizing control of a legislature that had been dominated by rural lawmakers for two centuries.

Through all that turmoil and change, Malkus was a constant: a conservative old-style Democrat with a disdain for big cities and big government.

"It's very seldom that anybody in public office rises to the level of an institution," said Sen. Howard Denis, R-Montgomery, who watched Malkus through most of his political career.

"He's a slice of Maryland history and will be missed when he is gone," he said.

Nobody now in office has served in a state legislature longer than Malkus. Three legislators in South Carolina, Washington and New Hampshire match his 48 years of legislative service, said Brenda Erickson of the National Conference of State Legislatures.

Malkus said he thinks his constituents would send him back for four more years if he sought another term. But at age 80, he has decided it is time to step down.

"Needless to say, I'm not as alert as I was 50 years ago. I think it's a good time to retire," he said.

Malkus was fresh from serving in World War II when he was elected to the House of Delegates in 1946. Four years later, he was elected to the Senate, beating a former senator in the Democratic primary and knocking off an incumbent Republican in the general election.

The General Assembly was a far different creature in 1947 than in 1994.

Legislators had no staff. They had to share cramped offices tucked away in rooms scattered around the State House and Court of Appeals building.

There were no calendars showing bills to be taken up each day in the House and Senate. "We never knew what was going on," Malkus said.

Even when he became chairman of the powerful Senate Judicial Proceedings Committee in 1955, Malkus said his committee staff consisted of only one secretary.

"If I wanted an amendment, I had to write it myself," he said. Today, eager ranks of young lawyers are available to dash off amendments on a moment's notice.

Malkus does want to go back to the past, but he questioned the need for all the lawyers, analysts, aides and secretaries who fill three office buildings in Annapolis today. "The staff do most of the work

and in some cases a lot of the thinking."

He regrets a loss of independence in the Senate, whose members he thinks are more likely than in the past to do the bidding of Senate leaders or the governor. And he preferred the old days when lobbyists were almost unknown in Annapolis.

Rural lawmakers dominated the legislature when he arrived in Annapolis, and it took Malkus only nine years to become one of the most powerful leaders in the legislature as chairman of the Judicial Proceedings Committee.

Critics at the time described him as a dictatorial and autocratic leader. He demurs. "I ran a tight committee, a successful committee."

The Supreme Court's one-man, one-vote rule brought an end to rural domination of the legislature and cost Malkus his leadership job.

Sen. Julian Lapidus, D-Baltimore, was part of a group of liberal urban lawmakers who insisted that Malkus be replaced as committee chairman in 1967 by Baltimore Democrat J. Joseph Curran, now state attorney general.

"For years our relationship was strained, but in later years, I began to like him a great deal," Lapidus said.

"He's old school. He's opinionated. He's a showman. But I think he has great personal integrity," he said.

Since losing his leadership position,

"It's very seldom that anybody in public office rises to the level of an institution. He's a slice of Maryland history."

HOWARD DENIS



Malkus' main goal has been to protect the Eastern Shore from the "beltway bullies" who come from the urban sprawl of Washington and Baltimore.

In the 1960s, he fought against civil rights laws that he believed infringed on the right of his Dorchester County constituents to make their own laws. Later, he opposed mass transit projects such as the Baltimore subway that he said would siphon money away from rural roads and bridges.

And he fought against environmental bills that he thought took rights away from Eastern Shore property owners but left landowners in urban areas free to pollute at will.

Malkus scorns critics who he said question his commitment to the environment while allowing environmental degradation to continue in the metropolitan counties.

"I call them hypocrites. They vote for somebody else to save nature, but they don't want to do it themselves," he said.

Lapidus, an urban environmentalist, said Malkus is a true environmentalist despite his opposition to major environmental legislation to protect wetlands and critical areas and limit development.

"He's deeply committed to the land," Lapidus said.

There are critics who charge Malkus is a political dinosaur, supporting policies that no longer work and denying the problems of the 1990s.

But Denis said that is not the case.

"A lot of his attitudes were formed at a time when a lot of people in the Senate weren't even born," Denis said.

"But he does not allow himself to slip into the past. He's very much of the present," he said.

"His enthusiasm has never waned. He hasn't lost a step."