

# Maryland Assembly Will Tackle Three Key Problems

By Edward Walsh Washington Post Staff Writer

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pg. B1

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The Maryland General Assembly will convene in special session at 11 a.m. Monday, officially for the purpose of revising three lengthy and complex sections of state law.

But shortly before the legislators meet in the ornate chambers of the Statehouse, an event will occur in Gov. Marvin Mandel's office that is likely to produce the dominant issue during the 30-day special session.

At that time, Mandel

plans to sign the sweeping financial disclosure law that was enacted on the last day of the regular legislative session this year and to unveil a somewhat less comprehensive bill to take its place. From that moment on, the subject of financial disclosure for public officials is not likely to be far from the legislators' minds.

The administration-backed substitute disclosure bill will be introduced in the special session in the aftermath of legal opinions that held the law enacted earlier this year was unconstitu-

tional because of vagueness and unwarranted invasion of public officials' privacy.

Sen. Julian L. Lapidus (D-Baltimore), the sponsor of the disclosure law Mandel plans to sign Monday, also will introduce his own substitute measure that he says will cure the vagueness problem without reducing the sweep of the law.

The legislature's climactic votes on one or both of these substitute proposals, however, will not come for another three or four weeks, after the General Assembly has completed the business

for which it is being called into special session.

The special session has been planned for some time to revise, or "recodify," those sections of state law that deal with natural resources, agriculture and procedures involving courts and attorneys. These represent about one-fourth of the state's law and revising them is the first step in a planned recodification of all of Maryland law so that, in the words of one lawmaker, "a Maryland lawyer doesn't have to hire a Chicago lawyer to read his own code."

The work will be almost entirely technical, rearranging existing laws into fewer and more understandable sections. No substantive changes in laws are planned to be enacted. There may be an occasional controversy over proposed elimination of laws considered obsolete, but for the most part legislative leaders predict that the recodification aspects of the special session will set new records for boredom.

The first business facing the General Assembly when it convenes Monday will be a consideration of the 43

bills enacted during this year's regular session that were vetoed by the governor

Most of the vetoes resulted because both chambers of the legislature passed identical bills, making one of them unnecessary. According to both legislative and administration officials, none of the bills appears likely to attain the three-fifths majority necessary to override a gubernatorial veto.

Under Maryland law, a

See MARYLAND, B4, Col. 6

# Special Assembly Session To Tackle 3 Key Problems

## MARYLAND, From B1

special legislative session may last no more than 30 days and may not be limited to particular subjects. However, under an agreement worked out by House Speaker Thomas Hunter Lowe (D-Talbot) and Senate President William S. James (D-Harford) any bills introduced in the special session except the three recodification measures will be referred to the House and Senate Rules Committees, where they will be held.

In effect, this procedure will force the General Assembly to complete the recodification task before it tackles the financial disclosure issue—either at the end of the special session or in a second special session to be called immediately after the first one adjourns.

Mandel's announcement last week that he would sign the disclosure bill Monday was the latest maneuver involving the politically sensitive measure.

The bill Mandel plans to sign Monday is the most sweeping legislation of its kind in the country. It would require full disclosure twice a year of all the assets and liabilities of Maryland public officials, their spouses and children.

In addition to applying to every official state and local elected official, the bill would also apply to federal officials elected from Maryland, judges, state departmental secretaries and deputy secretaries appointed by the governor and candidates

for the offices covered by the bill.

By signing the bill despite constitutional questions raised by lawyers who have studied it Mandel expects to put pressure on the legislature to enact the administration's less sweeping substitute. In effect the General Assembly will have a choice: either live with the original bill, taking a chance it will be overturned in court, or accept a substitute.

The governor's proposal would not apply to local or federal officials (congressmen), judges or deputy state cabinet secretaries. It would require disclosure once a year of all real estate owned in Maryland, all out-of-state real estate owned by an official in connection with anyone doing business with the state, all corporate stock and all interests in businesses doing more than \$10,000-a-year in business with the state.

The renewed debate over financial disclosure will take place in the shadow of the Watergate scandal, which appears to have increased public pressure on politicians to avoid any taint of conflict of interest.

In this atmosphere, administration officials are confident they can push through a new disclosure bill. "I think we can do it," one official said. "Everybody is under the gun."

The State Court of Appeals would be required to adopt disclosure requirements for all judges in the state.

However, it is impossible to predict what will happen once the subject of financial

disclosure is reintroduced in the General Assembly. Sen. Lapidés, the author of the bill Mandel plans to sign Monday, already has indicated dissatisfaction with the governor's proposed substitute because it would merely authorize local governments to enact their own disclosure legislation.

Lapidés and Sen. Jervis S. Finney (R-Baltimore County) plan to introduce amendments to the original disclosure bill to clarify certain sections of the measure without reducing its scope. Lapidés says he is convinced the original bill is constitutional and has pledged to oppose any substitute measures he considers too weak.

Lapidés also acknowledges that the toughest test for any of the disclosure proposals is likely to come in the House of Delegates, where Speaker Lowe is an implacable foe of the entire disclosure concept.