

President of the Senate
State House
Annapolis, Maryland 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetoed Senate Bill 592.

Senate Bill 592 would require an applicant for a Howard County zoning change to file an affidavit stating whether the applicant has made a contribution, within the past 48 months, to either a candidate who is running for the Howard County Council, a member of the Howard County Council or a political committee. The applicant would be required to file an affidavit at least 30 days prior to consideration of the zoning application.

Senate Bill 592 purports to protect the integrity of the Howard County Council by requiring a zoning change applicant to reveal whether the applicant has made certain political contributions. While the intent is meritorious, Senate Bill 592 is unfair in its application. The bill not only limits the disclosure requirement to contributions made to Howard County Council members sitting on the zoning board, but is further limited to contributions made only by zoning change applicants.

Presumably, the disclosure law is intended to remove any appearance of impropriety or suspicion that a vote has been influenced by virtue of a political contribution. With its limited scope, Senate Bill 592 implies that the applicant alone stands to benefit financially from a zoning decision and may try to persuade the zoning board to take a particular action by making a political contribution. This ignores the possibility that the applicant's competitor may make a political contribution in hope of an unfavorable zoning decision.

Senate Bill 592 also assumes that only the council members sitting on the zoning board can affect the fate of a zoning application. Other council members and the county executive, while not actually voting on a zoning change, may have influence with a voting member.

Ethics laws are vital to maintaining the public's confidence in government at all levels. However, such a law is meaningless if it does not address all identifiable aspects of the problem it seeks to remedy. In this instance, the bill would more effectively protect the Council's integrity if the disclosure requirement applied to all persons appearing before the county zoning board and to contributions made to all members of the Howard County Council.

For these reasons, I have vetoed Senate Bill 592.

Sincerely,
William Donald Schaefer
Governor

Senate Bill No. 592

AN ACT concerning