

Once more into the breach

*Now in his 20th year as Senate president,
Miller looks to the future and to history*

1.27.06

BY DORI BERMAN

Daily Record Business Writer

Thomas V. Mike Miller Jr. may have made history by becoming the longest-serving president of the Maryland Senate, but he's not even close to becoming history himself.

Now in his 20th year as the most powerful person in the General Assembly, the Southern Maryland Democrat will run for re-election later this year. Between now and then, another highly contentious leg-

islative session is certain to unfold.

As he prepared for the battles ahead, Miller, 63, recently sat down for an exclusive interview with The Daily Record.

Can you talk a little about how Maryland's political climate has changed in your 20 years as Senate president?

I think the major change is that the change that's occurred on Capitol Hill has occurred in the states. ... The Republican Party, when I became president of the Senate, was composed largely of moderates and progressives, and they've gone to

the middle and now largely to the far right. And the Democratic Party, which was composed largely of conservatives from the rural areas, as well as urban area voters, has now gone to the middle and in many cases to the left. So there's been a dynamic shift in the thinking or the philosophy of the two parties, and I have found that whichever party can get to the middle, which is where the voters are, generally prevails at the polls. That was

demonstrated by Tony Blair in England. That was demonstrated by George Bush when he campaigned as a compassionate conservative.

Even Bob Ehrlich, who campaigned on Democratic issues, but as soon as he got into office, just like Bill Clinton had to appease his left wing base, Bob Ehrlich got into office and had to appease his right-wing base. Now it's an election year and he's going back to being the governor for all the people. I'm not saying that's unusual Democrats and Republicans in this election

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year are doing everything they can to take voters away from the other side.

I go back actually way before my 20-year period. I started off in 1962 as the driver for the Republican candidate for governor. I was 18 and he was a family friend, and so I worked for the Republicans for almost a year and enjoyed it thoroughly. People like Charles 'Mac' Mathias, who was a U.S. congressman, Theodore McKeldin had just finished being governor. These are all liberal Republicans, very liberal people. ... It's all changed. I saw that first as a campaign worker, and then I saw it as a staff person when I came here in 1967 as a bill drafter. And then in 1970 I was elected to the House of Delegates, and then in 1974 I was elected to be a state senator, and then in 1986 I was elected president of the Senate. So I've had the opportunity to see almost 45 years of change in Maryland. I've seen dramatic changes over the years."

How have you changed your leadership style with a Republican governor?

For the past three years, I haven't. He was elected by the people, and we both swore to uphold the laws of the state of Maryland and serve the same electorate. I made a point to try to pass his legislation and work with this governor.

This year is very challenging because he's involved in a very tough election campaign and, in order to win, he's got to raise more money than has ever been raised before in Maryland politics. He's got to recruit candidates to run against my dear friends in the Democratic majority in the Senate, and he's got to advocate their loss, despite the fact that they've worked hard to pass his agenda the past three years. So our relationship is a little challenging this year. As a person, I like him, and I like his wife. And I think they like me. They might not be happy with me, but I think they like me.

You've been the governor's biggest ally in the General Assembly for the legal-

ization of slots. Why do you support slots in Maryland, and do you think it will pass eventually?

It's going to pass eventually. It should've passed three years ago. We've lost, really, billions of dollars to our sister states. And this is personal disposable income. Each state only has so much personal disposable income within its borders.

Politics is sort of like war: you hold onto your own, and you take some from the other person. And that's what you do with war. You don't lose your own troops and you

take some from your enemy. Well, it's the same with revenue. You want to keep the revenues in your state, and at the same time get other states' revenues into your state. And that's what Delaware and Pennsylvania and West Virginia are doing. They're having Marylanders go to Delaware and Pennsylvania and West Virginia, and between \$700 million and \$800 million a year is going out of the state with people that want the enjoyment of playing these video-lottery terminals.

Video-lottery terminals are not a good idea. Anybody who knows anything about them knows that they're not a good bet. They're a source of enjoyment for many, mostly people who should know better.

But at the same time, philosophically you might not like them, but pragmatically — and I'm very much a pragmatist, that's a good point about me and that's a bad point about me — you can't be opposed to them.

If you put them at the racetracks, where Marylanders have allowed gambling to take place for hundreds of years — Maryland's a cradle of racing in the United States, this is where racing started — but between each race is half an hour of down time. If you put them there at the racetracks only, not in neighborhoods or fire departments, only at racetracks and all the money goes to education, 75 percent of the people say they're for them and 25 percent are opposed.

If you simply just say "are you for slot machines?" there'd be a slight majority for them and a very close minority opposed to them. The reason they're at racetracks in Pennsylvania and Delaware and West Virginia is not because they're the best locations, but because they're politically doable. The public accepts them. They want the money kept in the state.

A good location would be Laurel, in a central part of the state. The senator for Laurel supports them at the tracks. Another one would be Rocky Gap. ... We have a conference center that's very well intentioned but it's not paying its way, and [if it had slots] it would get people from Pennsylvania and West Virginia there, too. In my own district, each month I have the American Legion, I have senior citizens' groups, I have church groups, they get on buses and they go to Pennsylvania and West Virginia, and it's just money going out of the state that could be spent on school construction or teachers' pensions.

What do you think is going to be the most pressing issue facing the General Assembly this session?

The willingness of Democrats to be fiscally responsible in the face of the election-year budget proposed by Gov. Robert

Ehrlich, who's facing a tough election and trying to appease numerous special interest groups with state spending. It means he's forcing the General Assembly to be the bad guys and say no.

We ratcheted up spending affordability 8.9 percent at his request and at his staff's request so he could come in within that cap and at the same time be fiscally responsible. Instead, his political people told him to just break the bank. He came in at 11.4 percent. He campaigned for office against 'Governor Spending,' but he's making 'Governor Spending' look like a piker. So, I don't know if we can do it or not.

I'm just going to encourage members to be better than him. I'll encourage members to recognize we have this Triple-A bond rating, and encourage the members and say 'look, you don't want tax increases in future years. If you don't want them, then make sure you balance this budget with only modest increases in spending.' I'm not sure if we'll be able to do that. I hope we can.

In addition to the budget, how will the upcoming election affect the session, and how might it differ from past election-year sessions?

It's hard to say in addition to the budget, because the budget is really morally what you're all about, it's ethically what you're all about. Drug addicts don't vote. People in prisons don't vote. Foster-care parents don't vote. The question is, do you provide for them? Do you provide for them, disabled kids, handicapped and physically challenged people? Do you provide for them in the budget in a way we haven't for the past several years, or do you go to your donor base? Do you say I need votes from ethnic groups? Traditionally, the Democratic base has been, Marylanders of Jewish faith have tended to vote for Democrats. Marylanders of African-American background have tended to vote for Democrats. So do I try to buy their votes by putting money into Jewish projects, or African-American projects, or areas where people are looking for votes, rather than doing what's best for all of Maryland?

And that's going to be the challenge that we have to respond to, is just sorting through the politics of the budget. Saying, you know there are drug addicts and alcoholics waiting for beds for recovery here. And there's foster children in Baltimore City that are not being checked up on monthly, much less yearly, in terms of whether they're being abused or whether they're getting the proper attention. A lot of this budget is just election-year politics. I'm not saying that William Donald Schaefer didn't do the same thing, or Gov. Glendening didn't do the same thing. But

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we have this Triple-A bond rating, and we're the ones who have to be fiscally responsible and we're the ones who have to have the willpower to say no. If it's right, we're going to do it, and if it's wrong we hopefully will have the ability to say no.

Looking back, what are some of the most important actions the Senate has taken under your leadership?

I think the things I'm most proud of before I became president, the things that had the most effect, are the domestic-relations laws. ... In other words, before I introduced a bill, judges had to follow title. So, if you were a housewife and you had been a housewife all your life, but your husband had the house in his name and the car in his name and his IRA in his name and the pension in his name, the judge couldn't touch it. The judge had to say 'okay, it's all the husband's. Period.' So this bill I passed opened everything. It did away with title in the state. And it said everything is an open pot and the judge can go and sort through the equities and award things however he or she wants to award them. At the same time, they must recognize a spouse's duties as a homemaker.

My wife, we raised five kids and have 10 grandkids. She never worked apart from the home once she started having children. And, I mean, certainly people like her should be recognized in any type of domestic settlement. And I think that's a bill that had the most far-reaching implications.

In terms of being the president of the Senate, probably the Thornton formula would be huge. To get the votes to go forward and say 'Look, we're going to make a massive commitment to education, with billions of dollars being spent over a protracted period of time.' And I appointed the very brightest and best members of the Senate to the committee, Sen. Bobby Neall, Sen. Barbara Hoffman.

Bobby, I know he's very much a fiscal conservative and I got him to buy into it, or he got me to buy into it. We come from a similar background, in Southern Maryland, where education was so important, because we didn't have industry, or job-creating businesses. It's really had a major effect on the people of the state of Maryland.

I'm responsible for a lot of the victims' legislation in the state. Probably 20 years ago a girl in my district, Stephanie Roper, was home from college for Christmas break, and she'd gone from her girlfriend's house and her car broke down along the road. And these two people on PCP picked her up,

and they raped her, murdered her, set her body on fire. And when her parents went to court, they were jostled by the attorney for the defendant. The parents were excluded from the courtroom. They weren't able to see anything that was going on. They weren't able, at the time of the sentencing, to say what their child's life meant. The judge could only give [the defendants] life imprisonment. They weren't able to tell the jury that they'd be eligible for parole after 11 years. It was just a tragedy. So we passed all these different laws. I sponsored one that said the victims couldn't be excluded from the courtroom. Two, that they had a right, at the time of sentencing, to tell the judge what their child's life meant to them, to have victims' impact statements. Three, that when you have a first-degree murder case, if the death penalty's not imposed, you have to serve 25 years before you could be paroled. And then finally I passed a constitutional amendment for victims. Victims have a right to know about continuances, to know about plea bargains, to know what's going on in the courtroom.

The position of Senate president requires a lot of time and energy. Why is the sacrifice worth it?

If you have a love for the state. ... In this office is just an example of the history I've got, and I surround myself with history every day and every night. I'm so honored to be here. This is James Ryder Randall [pointing to a portrait on the wall in his office], who wrote 'Maryland, My Maryland' from Alabama right at the beginning of the Civil War.

This is Gov. Robert Bowie [standing, and pointing to other portraits], from my district in Prince George's County.

This is Thomas Pratt, he was also from Prince George's County. He saved the state from bankruptcy. He put the first estate tax in place in Maryland to save us from bankruptcy.

This is Henry Clay over here, who wrote the Missouri Compromise at the Riversdale Mansion in Prince George's County.

This is John Surratt.

This is my home right here, Clinton, Maryland, Surrattsville. My family owned this building for a number of years. ...

This is Joshua Barney, who led the American troops into the Battle of Bladensburg, up here.

I read history every night. I enjoy it. So being the president of the Senate where you've had people like Charles Carroll, the only Catholic signer of the Declaration of In-

dependence served as president of Senate. You've had Daniel Carroll serve, whose brother founded Georgetown College, and who, at the constitutional convention in 1787, was responsible for the 10th amendment to the Constitution. He was also responsible for the direct election of the president by the people. You had, as president of the Maryland Senate, General William Smallwood, who led the Maryland line at the battle of Brooklyn Heights. George Washington said that if it hadn't been for that Maryland line, there might not have been an America, because they had suffered 90 percent casualties and saved his army.

Louis Goldstein, who was my mentor, was president of the Senate. Steny Hoyer, my dear friend the congressman, was president of the Senate. It's just a wonderful position. I'm thrilled by what the position means. I've studied legislative processes all over the United States. I work at the job, I enjoy it, and I constantly seek ways to improve the Maryland Senate.

I fully integrated every office here. There were no African Americans here when I came. The first African-American bill drafter worked for me before I was president of the Senate when I was chairman of the judicial proceedings committee. When I became the president of the Senate, I integrated the desk officers, I integrated my office, I integrated the secretary of the Senate's office.

At the same time, I also provided jobs for women. My mother was a very strong advocate for women, and in 1972 one of the first bills I sponsored in the House was the Equal Rights Amendment. At the same time, I did away with some archaic laws. I required committees to have recorded votes. I provided each member with a computer. Put all of our proceedings online. I provided them each with adequate staff. I worked hard, and it took me 14 years to get them in a new building. I read what's happening in other states. I study other states and I look for ways we can improve the Maryland General Assembly and I come back with ideas. I honestly believe that the place is better for me having been here. I want to make certain this is as good or better when I leave, as it was when I found it."

In 50 or 100 years, when someone like yourself looks back at your time as president of the Senate, how will you be remembered? What will be your legacy?

I don't know that you have one signature item. I would like to think that I did my very best for education in every way possible.

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Whether it's school construction, K-12, trying to keep tuition down for higher education.

In those eight years working with Gov. Glendening, even though he and I dis-

agreed a lot, we both supported the environment, and in those eight years we really preserved and protected more land than all the other administrations combined since the time Maryland was founded. So, I think in terms of education and the environment, those would be my two lasting legacies.

... I think I've been able to pick the best people to do the jobs, and let them do it without heavy handedness. Since my first year I was unopposed, and so therefore they gave me a free hand at picking the first chairmen. It was very difficult. But I selected a woman chair, Sen. Cathy Riley from Harford County; an African-American chair, Sen. Clarence Blount from Baltimore City; a Jewish chair from Montgomery County, Sen. Larry Levitan; and Walter Baker from the upper Eastern Shore, a conservative. So I recognized the diversity of Maryland in my four chairmanships, and they were all great leaders. In 20 years, as one would go, we've been able to replace them with a person of equal abilities. And I've always had a bright staff. I let them call me names, and whatever they want to do, because they're brighter than me, and I just listen well.

Do you have any plans for retirement?

Not yet. I'm going to run for re-election. I intend to support whoever's running for governor, whether it's O'Malley or Duncan. And I've been raising money for the past couple years to try to stave off Gov. Ehrlich and his \$25 million that he's going to be throwing against Democrats in the state.

I don't think there's going to be a major change in terms of Democrats and Republicans in the Senate and the House. I think each party might be able to pick up one or two either way. But it's going to be hard. Everybody's going to be very challenged, so we'll see what happens.

I think that, all in all, I've put good ethics rules in place since I've been here. We've curtailed fundraising during sessions. We've put tough rules on lobbyists and on the members themselves — strong disclosure laws.

The other thing is, I give everybody an opportunity to be heard. My door's open to everybody, and at the same time I make certain that every issue of importance to the public is voted on at least one time during the cycle.

The toughest time for me was the abortion issue. I'm Catholic, I'm one of 10 children. My mother was pro-choice, and my father was a conservative Catholic, but he said, 'look, it should be between a woman and her physician. It doesn't even belong in the General Assembly.' And, what happened was Sen. Paula Hollinger, a great leader, and Sen. Barbara Hoffman, another great leader, said 'we want this issue taken up.' Well, the previous president of the Senate was of the Jewish faith, Mickey Steinberg, and he knew this was a fire bell ringing in the night. He knew what it would do to the floor of the Senate, so he kept

pushing it under the rug, he wouldn't even take it up. So, here I am, Catholic, and I get up to the rostrum, and these two Jewish women came up to me and said 'it's time now.' And the problem was they could get enough votes to pass it, but they couldn't get enough votes to cut off debate. Even though they had worked very hard. So, consequently, we had a filibuster that lasted eight days and eight nights. So they started this filibuster, and all my buddies were on the other side. It was 16 men on the other side filibustering. And they said, 'why aren't you with us?' and I said, 'you know, I'm the president of the Senate and I represent everybody here.' So my job was to try to break the debate, to get enough votes to stop the filibuster. Well, I got to 31 and I couldn't get the 32nd. It was just horrible. We couldn't get it off the floor, we couldn't get it back to committee and we couldn't get it over to the House of Delegates. And nobody was willing to compromise. People were calling each other names. It was horrible. And finally, the compromise that they fashioned was five people had to vote both ways to get the bill over to the House of Delegates to give the people an opportunity to vote on it. Five pragmatists said 'look, we will vote to give the people a choice.' Well, it got over to there for one hour and the House looked at it and just killed the bill. But what happened was four of those

filibustering senators lost in the next election. And it went to the ballot, and 65 percent of the people said 'we're a pro-choice state.' That was probably the toughest part of my legislative career, just having to deal with that very divisive issue. I still have to deal with it every Sunday when I go to church, people look at me like why are you here?

Do you expect a divisive filibuster like that one could happen on the stem-cell issue?

I do, but I think some of the sting has been taken out of it by Gov. Ehrlich's proposal, although I don't think the governor understands the proposal fully. One day he says it's embryonic, the next day he says it's not, and the next day he says he's going to let TEDCO decide. He wants to hold onto his evangelical base, but at the same time I think he honestly and truly in his own heart believes in embryonic stem-cell research. At least the way it was proposed last year is that it would only use embryonic stem cells that were discarded from in-vitro fertilization. None could be sold. There was no provision to allow for cloning.

It's going to be a tough debate, no matter what. But we're going to have a lot of debates like that this year, especially in the budget process."