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HEADLINE: Ethics bill passage seen likely

BYLINE: James M. Coram, Sun Staff Writer

BODY:

After numerous rewrites and a new cast of legislators, state Sen. Martin G. Madden's ethics bill appears headed into law -- despite exemptions that some supporters say weaken the Howard County measure.

The bill requires most individuals who testify in a zoning case to disclose cumulative contributions of \$ 500 or more to Howard County Council members in the previous four years. But it exempts community associations, attorneys and consultants representing parties in zoning cases and employees of companies involved in zoning cases.

As a result, the bill "has some pretty big loopholes," said Del. Elizabeth M. Bobo, a west Columbia Democrat who tried and failed to have those exemptions removed by the county's legislative delegation.

Eliminating the exemptions would have made the bill stronger without jeopardizing it, she said, given what she described as a pro-disclosure mood in the legislature. Still, "it's a start," she said. "At least it does something."

Former Gov. William Donald Schaefer vetoed last year's version of the bill, which required only developers to make disclosures.

Mr. Madden, a Republican representing east Columbia and southern Howard County, said he is "a lot more comfortable" with the new version of the bill because it is nearly identical to a Montgomery County law.

Mr. Madden has been pushing a zoning disclosure bill since 1992 when he introduced one with Del. John S. Morgan -- with whom he served as a Howard County delegate in the previous General Assembly -- and with former state Sen. Thomas M. Yeager.

Earlier versions of the bill were killed in committee in 1992, killed on the floor of the House of Delegates in 1993 and vetoed last year after developers convinced the governor that the bill was biased against them, Mr. Madden said.

Although the bill that is now before the House Commerce and Government Committee contains exemptions, Mr. Madden said Ms. Bobo's attempts to eliminate them would have made it "a lot more cumbersome" and threatened its passage.

He said her amendments might have applied to a community association that contributed \$ 500 or more to a candidate, requiring the association to disclose the contributions of individual members.

Requiring community associations to do that would be a burden in terms of record-keeping for the largely volunteer organizations, Mr. Madden said.

He also said it would be onerous to require companies to disclose individual contributions of employees that amount to less than \$ 500 but together add up to more than that for the entire company.

County Councilman Darrel Drown, chairman of the county Zoning Board, said he is not sure the bill will accomplish what he believes to be the intent: making

sure that no undue influence is exerted on council members making zoning decisions.

The 1st District Republican said he was surprised that the bill does not apply to the parties' attorneys and consultants and that it does not extend beyond the council sitting as the Zoning Board. The council also sits as the Liquor Board.

"I don't understand why the bill picks out one person -- [anyone testifying in zoning case] -- and not another" seeking favorable action from the council, Mr. Drown said.

"I don't think the bill is going to do what [Mr. Madden] hopes," he said.

Mr. Madden's version of the bill has strong support from Common Cause of Maryland, a citizen lobby group.

"There is a perception that developers have undue influence in zoning decisions," said Deborah Povich, executive director. "Disclosure will help affirm or deny that perception.

"It should build confidence, particularly when the County Council makes zoning decisions."

Although Gov. Parris N. Glendening opposed a similar bill in Prince George's County when he was county executive there, Mr. Madden said his bill is sufficiently different from that bill and from the one vetoed by Mr. Schaefer last year. "I am optimistic" that the bill will pass and that the governor will sign it, Mr. Madden said.

GRAPHIC: PHOTO 1, Del. Elizabeth M. Bobo tried and failed to remove exemptions from the bill.; PHOTO 2, Sen. Martin G. Madden has been pushing a zoning disclosure bill since 1992.

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