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Ethics Panel Clears Md. House Speaker

Role in Mine Deal Was Questioned

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The Maryland General Assembly ethics committee voted unanimously last night to clear House Speaker Casper R. Taylor Jr. of any ethical violations in his efforts to promote a lucrative state coal mining deal for a friend.

After reviewing news accounts of the transaction and a letter from Taylor defending himself, members of the Joint Committee on Legislative Ethics concluded that no further review of the speaker was warranted because, they said, no ethical laws or rules were broken.

"We didn't see anything that

constituted an allegation, and therefore there was nothing for us to proceed on," said Del. Kenneth C. Montague Jr. (D-Baltimore), co-chairman of the 12-member ethics committee.

The other co-chairman of the committee, Sen. Michael J. Collins (D-Baltimore County), noted the absence of any allegation that Taylor benefited personally from the transaction. "In my view, there was nothing in any of the media reports that constituted abuse of prestige of office or any other law or rule," Collins said.

Taylor (D-Allegany), one of the three most powerful politicians in the state, claimed vindication last night, saying the decision reflected



FILE PHOTO

Del. Casper R. Taylor Jr. pushed a mining deal that helped a friend.

that he was aggressively representing his constituents. In his letter to the ethics committee yesterday, Taylor also criticized The Washington Post story that prompted the ethics committee's review.

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Md. House Speaker Cleared Of Wrongdoing in Land Deal

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The article last month recounted the speaker's role in promoting a coal deal that an independent appraiser said cost the state as much as \$1 million. The appraiser has said Taylor called him and pressured him to revise his figures in a way that benefited the speaker's friend, businessman James J.J. Oberhaus.

Taylor has said he called the appraiser merely to ask him to act promptly and termed his actions as routine constituent service. In his letter, he said The Post "did not accurately portray my role in representing my constituents and left the false impression that I had done something inappropriate."

In clearing Taylor, the committee did not call any witnesses, nor did it review the state Department of General Services file on the land transaction. It relied solely on the report in The Post and other news accounts, its own review of ethics laws, and Taylor's letter, said Montague.

Last night's action differed sharply from actions the committee took earlier this year in response to articles in the Baltimore Sun about alleged legislative misconduct. After reports that then-Sen. Larry Young (D-Baltimore) and then-Del. Gerald J. Curran (D-Baltimore) abused their office for personal gain, the committee launched formal investigations and hired outside counsel to review the allegations. Young was expelled from the Senate after a critical ethics committee report, and Curran resigned before the committee completed its investigation.

Kathleen Skullney, executive director of Maryland Common Cause, said she was disappointed by the ethics committee's decision last night, saying the committee should have taken more time to conduct a more formal investigation.

"It's problematic to simply say they've reviewed it and not go forward," Skullney said. "Legislators have a difficulty grasping they are under the obligation of avoiding the appearance of a conflict."

The ethics committee's action came on the same day that Taylor made his own proposal for dealing with problems raised by the recent cases of alleged misconduct. Taylor proposed that the legislature hire a full-time staff to counsel lawmakers about potential conflicts of interest.

The new staff would include a lawyer for the assembly's ethics com-

mittee. Lawmakers would be required to meet with the lawyer twice a year to go over an ethics questionnaire detailing their employment, business deals, investments and civic activities.

Taylor said such regular counseling would go a long way toward eliminating what he described as confusion among lawmakers about what activities are prohibited and what must be disclosed.

Taylor said he began considering his proposal even before the report in The Post about his role in a complicated 1995 land swap. Among other things, Oberhaus gave the state government land it has long desired next to the Savage River State Forest in Garrett County. In return, he received rights to coal under 498 acres of the Potomac State Forest.

But an independent appraiser hired by the state to review the transaction concluded that the state received less than a fair market price for the coal rights it gave up. Henry F. Moomau estimated that the state will receive \$1 million less than it would have if officials had followed his original recommendations to set the deal at normal market rates.

In his letter to the ethics committee yesterday, Taylor said he did call the appraiser but only to ask him if could "hurry it up with a decision."

"I did not pressure Mr. Moomau or any state official to change or alter in any way the value of the properties in question," Taylor wrote.

Taylor also questioned Moomau's assertion that the state did not get as good a deal as it could get. In The Post article, for instance, Moomau questioned the share of coal income going to the state as part of the deal. Oberhaus agreed to pay the state 60 cents a ton for some of the coal he mined, but Moomau said the state should have received twice that.

When originally asked about the discrepancy, state negotiator Keith D. Barrack told The Post that he could not explain why Oberhaus received such beneficial terms. But Taylor's letter said that Barrack recently reviewed state files at his request and that he now had an explanation for the four-year-old transaction.

Barrack told Taylor that the state agreed to a better return for Oberhaus because he was to get his money over the 20-year life of the mine, while the state was getting new property rights immediately, the speaker said.