



# LEAGUE OF WOMEN VOTERS<sup>®</sup> OF MARYLAND, INC.

## TESTIMONY TO THE COMMITTEE ON HEALTH AND GOVERNMENT OPERATIONS

### HB 1088 – Open Meetings Act - Annual Reporting Requirement, Enforcement and Training

#### POSITION: SUPPORT

**BY: Barbara Schnackenberg and Nancy Soreng, Co-Presidents**

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The League of Women Voters of the United States believes that democratic government depends on informed and active participation in government and requires that governmental bodies protect the citizen's right to know by giving adequate notice of proposed action, holding open meetings and making public records accessible. This is one of the founding principles of the League in place since 1919.

This proposed legislation makes a number of changes in the Open Meetings Act, among them are the following: in addition to the reporting requirements of current law, the Open Meetings Compliance Board (OMCB) would be required to identify in their reports to the General Assembly the top issues found in complaints filed with the Board as well as identifying the public bodies with the highest number of complaints in violation of the Act. Opinions of the OMCB would no longer be advisory but the Board may issue an order requiring specific action with a possible civil penalty of \$250 for the first violation and \$1000 for each violation thereafter. Within 60 days of becoming a member of a public body, an individual must complete one of the currently available training courses on the Open Meetings Act. The public body reports to the OMCB the name of the officer who completes the training and the date of completion. This training information must be posted on the public body's website.

The League supports the effort to assure that members of public bodies learn to conduct meetings in compliance with the Open Meetings Act. It is amazing that so many violations of this Act still occur more than 20 years after the Act has been in place. Moreover, we only know about those violations in which a knowledgeable member of the public files a complaint. We believe this result occurs because there were no training requirements and no enforcement or penalty provisions in the Act when it was passed in 1992 and no such provisions were added until 2013. We note that the penalty provision added here exacts the penalty on the taxpayer rather than the individual(s) who violated the law, even after each individual of the public body has completed mandated training. We especially appreciate the posting of mandated training on the public body's website.