



LEAGUE OF WOMEN VOTERS® OF MARYLAND, INC.

TESTIMONY TO THE COMMITTEE ON HEALTH AND GOVERNMENT OPERATIONS

HB 823 – General Provisions – Open Meetings Act – Enforcement and Training

POSITION: SUPPORT

BY: Barbara Schnackenberg and Nancy Soreng, Co-Presidents

DATE: FEBRUARY 24, 2016

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

This legislation makes a number of changes in the Open Meetings Act, among them are the following: opinions of the Open Meetings Compliance Board would no longer be advisory only but would require that the Board order corrective actions where public bodies have erred in conducting meetings and would allow a civil penalty of \$500 for errors. In addition public bodies would be required to provide to the Open Meetings Compliance Board a list of individuals who are required to take training on the requirements of the Open Meetings Act. Within 90 days of being designated to take training provided by one of the currently available sources of this training, designated individuals must have completed the training.

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 became law in 1992 and no such provisions in any form 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.