



Senate Bill 450

Open Meetings Act – Required Training for Members of Public Bodies

MACo Position: **SUPPORT**
WITH AMENDMENTS

Date: February 16, 2017

To: Education, Health, and Environmental Affairs
Committee

From: Leslie Knapp, Jr. & Barbara Zektick

The Maryland Association of Counties (MACo) **SUPPORTS** SB 450 **WITH AMENDMENTS**. This bill broadens open meetings training requirements to every member of any public body, large or small.

SB 450 would require every member of a public body to take a training course on the Maryland Open Meetings Act or else submit a letter to the Open Meetings Compliance Board (OMCB) stating that the member is unable or unwilling to complete the class. Currently, each public body must designate at least one individual who is an employee, officer, or member of the public body to take the class.

MACo has consistently objected to expanding the training requirements to include every member of a public body - the requirements proposed by SB 450 were debated and specifically rejected when the initial training requirement was passed in 2013 (HB 139). Public bodies range from large, statutorily created permanent bodies to small, all-volunteer task forces. The inclusion of all employees, officers, or members will place a burden on all sizes of public bodies and will be especially challenging for small volunteer bodies that in many cases are already struggling to attract participants.

However, MACo recognizes the need for open meetings training and would support the bill if it were amended to require at least one voting member of a public body (as opposed to a staff person, etc.) be required to take the training. Voting members have the authority to close meetings and it is reasonable to have at least one such individual take the training. Furthermore, if a voting member who has taken the training is not present when a meeting is proposed to be closed, the public body should have to complete and include in their minutes the short meetings closing checklist that was created by the OMCB. The provision regarding the submission of a letter to the OMCB should also be removed.

MACo believes these amendments would address the need to make sure the correct individuals are receiving open meetings training while acknowledging staffing and implementation realities on the governmental side. Accordingly, MACo urges the Committee to give SB 450 a report of **FAVORABLE WITH AMENDMENTS**.