

SB 170.Bid Advertising threshold and platform.pdf

Uploaded by: John Woolums

Position: FAV

BILL: Senate Bill 170
TITLE: County Boards of Education - Hearing Notices and Bid Advertisements -
Electronic Posting
DATE: January 17, 2024
POSITION: SUPPORT
COMMITTEE: Education, Energy, and the Environment
CONTACT: John R. Woolums, Esq.

The Maryland Association of Boards of Education (MABE) supports Senate Bill 170 to update and improve the state procurement laws governing the procurement policies and procedures of local school systems.

MABE is overall quite confident that the current state laws and regulations governing local school system procurements are sufficient in scope and clarity to provide the appropriate degree of accountability and flexibility to not only ensure sound procurement practices but also optimize cost savings for taxpayers. Local school systems, and professional purchasing and procurement staff, rely on a well-established understanding of the existing procurement law under the Education Article, State Finance and Procurement Article, and State regulations.

Senate Bill 170 would update Section 5-112 of the Education Article governing local school system procurement policies to include references to the eMaryland Marketplace and local school system websites. Importantly, the bill would also allow school systems to use their school system websites to provide notice of any public hearing regarding a school siting decision.

Again, MABE supports this bill's amendments to update longstanding statutory language on school system procedures.

For these reasons, MABE requests a favorable report on Senate Bill 170.

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Uploaded by: Senator Gallion

Position: FWA



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AMENDMENTS
PREPARED
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DEPT. OF LEGISLATIVE
SERVICES

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BY: Senator Gallion

(To be offered in the Education, Energy, and the Environment
Committee)

AMENDMENTS TO SENATE BILL 170

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 3, strike “**Hearing Notices and Bid Advertisements – Electronic Posting**” and substitute “**Bid Advertisement Threshold and Electronic Posting of Hearing Notices and Bid Advertisements**”; in line 5, after “systems;” insert “increasing the threshold amount of costs of school buildings, improvements, supplies, and equipment that require county boards to advertise for bids;”; in line 7, after “education” insert “, the bid advertisement threshold,”; and in line 8, after “posting” insert “of notices and advertisements”.

AMENDMENT NO. 2

On page 2, in line 15, after “subsection,” insert “**IN ADDITION TO THE REQUIREMENTS OF § 17-502 OF THE STATE FINANCE AND PROCUREMENT ARTICLE,**”; and in line 16, strike “\$25,000” and substitute “**\$100,000**”.

SB 170 FAV Testimony.pdf

Uploaded by: Senator Gallion

Position: FWA

JASON C. GALLION
Legislative District 35
Harford and Cecil Counties

Education, Energy, and
the Environment Committee



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January 16th, 2024

The Honorable Brian Feldman, Chair

Senate Education, Energy, and Environment Committee

RE: SB170 – County Boards of Education – Hearing Notices and Bid Advertisements – Electronic Posting

Position: **Favorable**

Dear Chairman Feldman,

This legislation seeks to modernizes how local boards of education fulfill certain public notice requirements. The bill provides small but meaningful changes that will save money and enable school districts to reach the public more effectively.

First, the bill updates a specific public hearing notice requirement. Maryland public schools are required to hold a public hearing for a new school site under certain circumstances. Currently, if a hearing is to be held, it must be advertised in a newspaper of general circulation in the county. This bill would give the school board the option to advertise the hearing on their website instead.

Second, the bill updates requirements for advertising a public school system small procurement. Current state law provides three options for advertisement: 1) a newspaper, 2) Maryland Contract Weekly, or 3) both electronic and physical posting on a bid board. The latter two options are extremely outdated. Maryland Contract Weekly ceased publication in 2006; the eMaryland Marketplace is the State of Maryland's current online procurement system for all solicitations for state, county, schools, and universities. Similarly, physical bid boards are an outdated option. This bill allows school boards to use modern methods of advertising procurements.

Providing for online posting of this information can save county boards of education money as they grapple with tight budgets. The newspaper advertising requirement dates back to the 1970s and is not a particularly effective means of providing information to the public in the 21st century. This bill will allow our local boards of education to operate more efficiently, promptly, at lower cost, and with broader reach.

Sincerely,

A handwritten signature in blue ink that reads "Jason Gallion".

Jason Gallion

Senator, District 35

MDDC Oppose SB170.pdf

Uploaded by: Rebecca Snyder

Position: UNF



Maryland | Delaware | DC Press Association

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To: Senate Education, Energy and the Environment Committee

From: Rebecca Snyder, Executive Director, MDDC Press Association

Date: January 17, 2024

Re: SB170 - OPPOSE

The Maryland-Delaware-District of Columbia Press Association represents a diverse membership of newspaper publications, from large metro dailies such as the Washington Post and the Baltimore Sun, to hometown newspapers such as the Star Democrat and Maryland Independent, to publications such as The Daily Record, Baltimore Jewish Times, and online-only publications such as the Baltimore Banner, MoCo 360, Maryland Matters and Baltimore Brew.

The Press Association urges the Committee to reject SB 170. This bill would allow a notice of a hearing regarding the siting of a school to be posted in a newspaper of general circulation OR on a website of the local school system. We ask that the proposed language in 4-116. (b) (2) be changed from OR POSTED ELECTRONICALLY to AND POSTED ELECTRONICALLY.

The site for a new school is of paramount importance to a community. When a hearing is to be held, there should be full and appropriate notice to the public. As this bill is currently written, members of the public would have to check the school board website on spec to see if any information has been posted, rather than in the customary place of their local newspaper, which has published notices from across the community. By fracturing the required postings to allow them in two different places, the onus is now on the members of the public to continuously search through multiple places to find items that will affect their community.

This situation can be remedied by changing OR to AND. More notice is better notice, and news publications have a far wider audience reach than school system websites. Moreover, in a recent regional readership survey, respondents overwhelmingly (67% of respondents) wanted notices to be in local newspapers and their websites.

Public notices should be independent, accessible, verifiable, and reach the widest possible audience to ensure trust in the process and information. This bill is bad public policy and will short change the public's right to know.

Local government has a vested interest in ensuring that the public knows about new laws, among other topics, and that means publicizing to the largest possible audience. This bill allows the fracturing of notice location and potentially takes those notices out of the newspaper and its website (and its archive) and into a specific government website. The public looks for this type of information among other news and information, not in a website where the information is only available for a short period of time and does not reach a broad cross section of the public. We urge an unfavorable report.



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