

HOUSE JOINT RESOLUTION 27

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2001 Regular Session
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By: **Delegate Hurson**
Rules suspended
Introduced and read first time: March 19, 2001
Rules suspended
Assigned to: Commerce and Government Matters

HOUSE JOINT RESOLUTION

1 A House Joint Resolution concerning

2 **Task Force to Study Dispute Resolution Concerning Access to Public**
3 **Records**

4 FOR the purpose of establishing a Task Force to Study Dispute Resolution
5 Concerning Access to Public Records; providing for the composition, duties, and
6 staff of the Task Force; requiring the Task Force to report to the Governor and
7 the General Assembly by a certain date; and generally relating to a Task Force
8 to Study Dispute Resolution Concerning Access to Public Records.

9 WHEREAS, It is the public policy of the State that public records generally
10 should be available for inspection by any member of the public; and

11 WHEREAS, It is the policy of the State that certain records are not available for
12 inspection by the public; and

13 WHEREAS, Disputes can arise between requesters and custodians about access
14 to public records; and

15 WHEREAS, Current law provides for administrative and judicial forums for
16 resolving disputes about access to public records; and

17 WHEREAS, These forums for dispute resolution might not be most suitable in
18 all situations; and

19 WHEREAS, The public policy underlying the laws concerning access to public
20 records might be furthered through the creation of an ombudsman or other less
21 formal means of dispute resolution; now, therefore, be it

22 **RESOLVED BY THE GENERAL ASSEMBLY OF MARYLAND, That the**
23 **General Assembly and Governor establish a Task Force to Study Dispute Resolution**
24 **Concerning Access to Public Records; and be it further**

25 **RESOLVED, That the Task Force be composed of:**

26 (1) One member of the House of Delegates, selected by the Speaker of the
27 House;

- 1 (2) One member of the Senate of Maryland, selected by the President of the
2 Senate;
- 3 (3) The Attorney General or the designee of the Attorney General;
- 4 (4) One representative of the Maryland-Delaware-District of Columbia Press
5 Association, selected by the Association;
- 6 (5) One representative of the Maryland Association of Counties, selected by
7 the Association;
- 8 (6) One representative of the Maryland Municipal League, selected by the
9 League;
- 10 (7) One representative selected jointly by the Maryland Association of
11 Counties and the Maryland Municipal League;
- 12 (8) One representative of the Chesapeake Associated Press Broadcasters
13 Association, selected by the Association;
- 14 (9) One representative of the Maryland Open Meetings Compliance Board,
15 selected by the Chairman of the Board;
- 16 (10) Two members of the general public, selected jointly by the Speaker of the
17 House and the President of the Senate; and
- 18 (11) One representative of the Executive Branch of the State Government,
19 selected by the Governor; and be it further
- 20 RESOLVED, That the Department of Legislative Services shall provide staff
21 support for the Task Force; and be it further
- 22 RESOLVED, That the Task Force study alternative means of resolving disputes
23 concerning access to public records, including cost and feasibility considerations
24 related to these alternatives; and be it further
- 25 RESOLVED, That the Task Force shall report its findings and recommendations
26 to the Governor, and, in accordance with § 2-1246 of the State Government Article,
27 the General Assembly by December 31, 2001; and be it further
- 28 RESOLVED, That a copy of this Resolution be forwarded by the Department of
29 Legislative Services to the Honorable Parris N. Glendening, Governor of Maryland;
30 the Honorable Thomas V. Mike Miller, Jr., President of the Senate of Maryland; and
31 the Honorable Casper R. Taylor, Jr., Speaker of the House of Delegates.