



THE MARYLAND HOUSE OF DELEGATES  
ANNAPOLIS, MARYLAND 21401

The Honorable Kumar Barve, Chairman  
House Environment and Transportation Committee  
Members of the House Environment and Transportation Committee

March 2, 2021

**RE: HB 1226 – Municipal Incorporation – Required Referendum**

Dear Chairman Barve and Committee Members:

The purpose of this bill is to address an autocratic provision in the state law about the process of petitioning the local county government to consider the creation of a municipal corporation. The bill as introduced maintains the current law and adds a requirement that the County Commissioners or County Council approve a referendum request if a valid petition is presented by not less than 40% of the registered voters and are residents of the area proposed to be incorporated.

Under current law, a referendum request for an election with signatures from 25% of the registered voters who reside in an area proposed to be incorporated must submit their request in the form of a petition to the local county governing body, known as the County Commissioners or County Council.

Once the petition for a ballot question is received, the local governing body will determine if the qualified signatures meet the referendum requirement. If the petition is determined to be valid, the County governing body must hold a public hearing and issue a report. There is no requirement of the governing body to schedule the ballot question.

Approval of the petition request is left to the discretion of the local governing body. In most cases, the county government opposed creating new municipalities due to the inherent conflict over authority, land use, taxes, and services. Consequently, the will of the qualified voters in the area and the petitioners are often ignored.

A system that permits a governing body to ignore a petition from our citizens is constructed contrary to representative democracy. HB 1226 establishes a straightforward process to promote the independence of Maryland citizens to self-determine their governance. This bill is fair, just, and right.

Having served in both municipal and county government before being elected to the General Assembly, I have witnessed first-hand the important role municipal government plays in our citizens' quality of life. County Government is important too, but Municipal incorporations bring government representation directly to the people. Towns and City's engage their citizens at the door-to-door level. They develop community plans with stakeholders and quickly implement priorities. In communities where citizens feel they are under-represented, this alternative provides fair, equal access to local representation and improved outcomes. In the spirit of good government, I ask for a favorable report on HB 1226.

A handwritten signature in blue ink, appearing to read "Mary Ann Lisanti".