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Ways and Means Committee

Subcommittees

Early Childhood

Election Law



The Maryland House of Delegates
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THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

January 18, 2022

The Honorable Kumar Barve, Chairman
House Environment and Transportation Committee
House Office Building, Room 251
6 Bladen Street, Annapolis, Maryland 21401

Dear Chairman Barve and Committee Members:

RE: HB – 42 Municipal Incorporation – Required Consideration

The purpose of this bill is to address an autocratic provision in the state law pertaining to the process of petitioning the local county government to consider the creation of a municipal corporation.

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 the creation of 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 simply ignore a petition from our citizens is constructed contrary to representative democracy. HB 42 establishes a straightforward process to promote the independence of Maryland citizens to self-determine their governance. This bill is fair, just, and right.

The bill as introduced requires the County Commissioners or County Council to 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.

Having served in both municipal and county government prior to being elected to the General Assembly, I have witnessed first-hand the important role municipal government plays in the quality of life of our citizens. County Government is important too, but Municipal incorporations bring government representation directly to the people. Towns and Cities engage their citizens at a 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 42.

Sincerely,

A handwritten signature in blue ink that reads 'Mary Ann Lisanti'.

Mary Ann Lisanti