



Maryland Municipal League

The Association of Maryland's Cities and Towns

TESTIMONY

January 25, 2022

Committee: House Health and Government Operations

Bill: HB 235 – Open Meetings Act – Definition – Administrative Function

Position: Oppose

Reason for Position:

The Maryland Municipal League opposes House Bill 235 with amendment. As introduced, the bill would not allow a local body to use the administrative function exemption from the Open Meetings Act to discuss certain personnel matters.

If enacted, the bill would have no practical public benefit, as personnel matters can and likely would be held in a closed meeting portion of a meeting.

It would, however, have a tangible impact on administration of local government. Certain matters may require a conversation between regularly scheduled public meetings. For example, this bill would require them to post a public notice, open and close the meeting, and have their attorney or clerk present for the minutes to just hold an interview or discuss the discipline of an employee. That situation can become particularly awkward if the employee in question is the same person trained to take the minutes.

Therefore, the League respectfully requests an unfavorable report on HB 235.

FOR MORE INFORMATION CONTACT:

Scott A. Hancock	Executive Director
Angelica Bailey	Director, Government Relations
Bill Jorch	Director, Research & Policy Analysis
Justin Fiore	Manager, Government Relations

1212 West Street, Annapolis, Maryland 21401

410-268-5514 | 800-492-7121 | FAX: 410-268-7004 | www.mdmunicipal.org

Suggested Amendment Language for House Bill 76
(Based on 2021 compromise in the Senate with SB 841)

Add:

Article - Tax - Property

6-302.

(b) (1) Except as provided in subsection (c) of this section, §§ 6-305 and 6-306 of this subtitle and § 6-203 of this title:

(i) there shall be a single county property tax rate for all real property subject to county property tax except for operating real property described in § 8-109(c) of this article; [and]

(ii) the county tax rate applicable to personal property and the operating real property described in § 8-109(c) of this article shall be no more than 2.5 times the rate for real property; **AND**

(III) THE COUNTY TAX RATE APPLICABLE TO SOLAR ENERGY PROPERTY PERSONAL PROPERTY THAT IS A COMMUNITY SOLAR ENERGY GENERATING SYSTEM DESCRIBED UNDER § 8-101(C) OF THIS ARTICLE MAY BE A DIFFERENT RATE FROM THE COUNTY TAX RATE APPLICABLE TO OTHER PERSONAL PROPERTY, SUBJECT TO THE LIMITATION UNDER ITEM (II) OF THIS PARAGRAPH.

Replace 7-237 (C)(2) with:

(2) THE GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION MAY EXEMPT, BY LAW, PERSONAL PROPERTY THAT IS A COMMUNITY SOLAR ENERGY GENERATING SYSTEM FROM THE COUNTY OR MUNICIPAL CORPORATION PROPERTY TAX IF THE PERSONAL PROPERTY IS:

(I) PART OF A COMMUNITY SOLAR ENERGY GENERATING SYSTEM THAT PROVIDES AT LEAST 50% OF THE ENERGY IT PRODUCES TO LOW- OR MODERATE-INCOME CUSTOMERS, AS DEFINED IN REGULATIONS OF THE PUBLIC SERVICE COMMISSION, AT A COST THAT IS AT LEAST 20% LESS THAN THE AMOUNT CHARGED BY THE ELECTRIC COMPANY THAT SERVES THE AREA WHERE THE COMMUNITY SOLAR ENERGY GENERATING SYSTEM IS LOCATED; AND

(II) INSTALLED ON A ROOFTOP, PARKING FACILITY CANOPY, OR BROWNFIELD.