

SB 035 Testimony.pdf

Uploaded by: Dana Schulze

Position: FAV

I am a USAF combat veteran, hold a BS Public Affairs, MA Counseling.

I support the addition of the State Ethics Commission to the Open Meetings Act. Additional transparency and accountability in government is beneficial to Maryland.

Transparency Meetings- Ethics Commission_ Senator

Uploaded by: Michael McKinney

Position: FAV

CHERYL C. KAGAN
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Education, Health, and
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Joint Audit Committee
Joint Committee on Federal Relations



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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

SB0035: Meeting Transparency- State Ethics Commission

Education, Energy, and Environment Committee

Thursday, January 26, 2023 3pm

Transparency is an essential element of good government.

In 2019, we enacted transparency legislation for State Board of Elections open meetings ([SB184/HB71](#)). In 2020, we passed [SB363/HB421](#) to expand the Open Meetings Act to cover five additional state agencies and expand transparency requirements. In 2022, we enacted the Maryland State Agency Transparency Act of 2022 ([SB269/HB375](#)), to expand the list of agencies again. Each of those bills passed unanimously.

In 2023, [SB035](#) would simply add the State Ethics Commission to the list of state agencies with required transparency practices for the public portion of state agency meetings.

The Open Meetings Act requires state agencies to:

- Post the agenda and all materials on the agency's website at least 48 hours prior to an open meeting;
- Indicate on the agenda, to the degree possible, whether and when the group expects to go into a closed session;
- Live-stream the public portion of meetings;
- Review the prior meeting's minutes in a timely manner and post the minutes not more than 2 business days after the minutes are approved;
- Maintain on its website the meeting minutes for a minimum of 5 years;
- Post on its website the unedited video recording of a live-streamed meeting for a minimum of 1 year.

The Open Meetings Compliance Board is authorized to enforce these requirements.

There are two modest amendments to this bill. One would add the State Ethics Commission to the list of state agencies that would get IT support from the Department of Information Technology to live-stream the meetings. And we suggest changing the effective date from October 1 to July 1, 2023.

I urge a favorable report on SB035.

Open Meetings Act

Uploaded by: Morgan Drayton

Position: FAV

January 24, 2023

Testimony on SB 35
Open Meetings Act – State Ethics Commission – Maryland State Agency Transparency
Act of 2023
Education, Energy, & the Environment

Position: Favorable

Common Cause Maryland support SB 35 which would significantly increase access to and the efficiency of certain State agencies and public bodies by making them subject to enhanced Open Meetings Act requirements.

For too many citizens, the work done by State agencies and other public bodies is a distant and often undecipherable series of activities. Many Marylanders are unable to go to meeting locations in-person despite having a strongly vested interest in the policies and decisions being made by these agencies. For those who are able attend meetings (whether in-person or online), they often don't have access to meeting materials and at times are met with unexpected closed sessions.

SB 35 aims to address this by requiring that meeting agendas and materials be made available in advance of these meetings online. Also, that meetings be made publicly available by live stream, and that these streams and meeting materials be archived promptly after a meeting has adjourned.

Streaming video and online access to meeting materials are easy and efficient ways to enhance Marylanders' access to agencies throughout the State. The technology to live-stream is inexpensive, widespread, and better facilitates the participation of all Marylanders. Archiving the streams along with meeting materials and minutes ensures that those who are unable to watch the live stream will have access to the footage later.

While many of these agencies and public bodies already stream their meetings, the enhanced requirements ensure Marylanders are able to meaningfully access meetings where the decisions made will impact them and their communities. It also ensures that members of the public are aware of closed sessions and when they are likely to take place during these meetings. Coverage under the Open Meetings Act puts a clear process in place for dealing with possible violations as members of the public will be able to report complaints to the Open Meetings Law Compliance Board.

SB 35 would vastly increase Marylanders' access to the meetings and meeting materials of State agencies and other public bodies. For these reasons, we urge a favorable report.

SB 35 Maryland State Agency Transparency Act 2023.

Uploaded by: Nancy Soreng

Position: FAV



TESTIMONY TO THE EDUCATION, ENERGY AND ENVIRONMENT COMMITTEE

SB 35 Maryland State Agency Transparency Act

POSITION: Support

BY: Nancy Soreng, President

DATE: January 26, 2023

The League of Women Voters of the United States believes that democratic government depends upon informed and active participation at all levels of government. The League further believes that governmental bodies must protect the citizen's right to know by giving adequate notice of proposed actions, holding open meetings, and making public records accessible.

The League has consistently supported Senator Kagan and Delegate Korman in their efforts to update and makes consistent the transparency requirements for more than twenty state government entities that make important fiscal and or policy decisions that have direct impact on the public interest. This year, upon passage of SB 35, the State Ethics Commission would now be required to be in compliance with the Open Meetings Act including offering live video streaming of each portion of a meeting held in open session. On their website they must maintain past meeting minutes for at least five years after the date of the meeting, and a complete and unedited archived video recording of the open portion of their meetings for at least one year after the date of the meeting.

We welcome this addition of sunshine to the actions of the State Ethics Commission which is responsible for the administration of public ethics law. Among their duties are enforcing disclosure requirements of the financial affairs of public officials, and setting standards of conduct for State and local government officials and employees. They have an important role in guarding against improper influence on public officials. In addition, the Commission reviews and approves county and municipal ethics laws enacted per the requirements of the Public Ethics Law.

We urge a favorable report on SB 35.

MDDC Support SB35.pdf

Uploaded by: Rebecca Snyder

Position: FAV



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To: Senate Education, Energy & the Environment Committee

From: Rebecca Snyder, Executive Director, MDDC Press Association

Date: January 26, 2023

Re: **SB 35 - SUPPORT**

The Maryland-Delaware-District of Columbia Press Association represents a diverse membership of news media organizations, from large metro dailies like the Washington Post and the Baltimore Sun, to hometown newspapers such as The Annapolis Capital and the Frederick News Post to publications such as The Daily Record, the Baltimore Times, and online-only publications such as Bethesda Beat and Baltimore Brew.

The Press Association is pleased to support SB 35, which brings the State Ethics Commission firmly under the Open Meetings Act.

We believe this legislation is an important clarification that will bring more transparency and openness to bodies that have sometimes been shrouded in secrecy. In past years, similar legislation has ensured that various public bodies are subject to the OMA. Further, we welcome the clarity that the State Ethics Commission will ensure that minutes will be made available for a minimum of five years after the meeting and an unedited archive recording will be maintained for at least one year. Journalists rely on meetings of public bodies as central parts of their reporting and our members welcome the clarity of this legislation.

The Press Association urges a favorable report.



**We believe a strong news media is
central to a strong and open society.**

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SB35 - State Ethics Commission - Info.pdf

Uploaded by: Kate Thompson

Position: INFO



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January 25, 2023

Senate Bill 35 – Open Meetings Act - State Ethics Commission (Maryland State Agency Transparency Act of 2023)

Testimony Before the Education, Energy, and the Environment Committee

The State Ethics Commission (“Commission”) offers informational testimony on Senate Bill 35 – Open Meetings Act - State Ethics Commission (Maryland State Agency Transparency Act of 2023). The bill adds the State Ethics Commission to a list of defined public bodies that must meet certain transparency requirements in the Open Meetings Act. The Commission is pleased to report that our office already complies with a large majority of the transparency measures included in this bill.

To make certain that our office can successfully execute all the requirements of this bill, we have been working with the House Sponsor on an amendment to include the State Ethics Commission in the listed State entities which require the Maryland Department of Information Technology (“DoIT”) to provide support for the live streaming and archiving requirements in Section 3-307(h) of the Open Meetings Act. Our fiscal note on this bill highlighted the fiscal impacts on the Commission without such support. The State Ethics Commission has a small staff, without designated IT personnel or expertise in this area. Our office currently relies on DoIT for IT services and assistance. The requested amendment would ensure DoIT's continued assistance with these new requirements and Commission is thankful for the work of the sponsors on this bill and the amendment.