

01/28/2025

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**TESTIMONY ON HB#0028 - POSITION: UNFAVORABLE**

**Constitutional Amendment - Form of County Government - Requirement to Adopt Charter Home Rule**

**TO:** Chair Korman, Vice Chair Boyce, and members of the Environment and Transportation Committee

**FROM:** Richard Keith Kaplowitz

**My name is Richard Kaplowitz. I am a resident of District 3. I am submitting this testimony in opposition to HB0028, Constitutional Amendment - Form of County Government - Requirement to Adopt Charter Home Rule**

This bill is an attempt to have the state of Maryland dictate to our local counties the form that their local government must adopt.

As reported by Ballotpedia <sup>1</sup> there can be serious problems to this preemption.

“Preemption conflicts can emerge between state and local governments due to differences in the partisan makeup of the respective governments. Sometimes Democratic-led cities are preempted by Republican state governments, such as when the state legislature in Missouri [preempted](#) efforts to increase the minimum wage in St. Louis. Democratic state governments have also come into conflict with Republican-led localities, such as when several Virginia municipal governments [passed](#) firearms resolutions that were preempted by state law.

However, shared party affiliations don't guarantee that state and local governments will see eye-to-eye. For example, in 2017 [New York's](#) Democratic governor, [Andrew Cuomo](#), signed a bill blocking a plastic bag tax in Democratic-led [New York City](#).

Common recent targets of state preemption include ordinances related to the minimum wage and paid sick leave, firearms policy, plastic bags, and marijuana decriminalization”

This bill, requiring each county to adopt a charter by December 31, 2031, and the processes to be followed makes the State of Maryland decide for the voters in a jurisdiction the form they want their government to assume. The adoption of charter government also has unknown financial costs to assemble the administrative framework and staff that new form of government. This is not, to my knowledge, a request of any jurisdiction towards their fellow counties. There are also costs to the state to place such this as a Constitutional Amendment to the voters of Maryland.

**I respectfully urge this committee to return an unfavorable report on HB#0028.**

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<sup>1</sup> [https://ballotpedia.org/Preemption\\_conflicts\\_between\\_state\\_and\\_local\\_governments](https://ballotpedia.org/Preemption_conflicts_between_state_and_local_governments)