

To: Senate Judicial Proceedings Committee
From:
Nancy Wodka, J.D., Regency Park Board President
Dan Morhaim, M.D., Regency Park Board Secretary

OPPOSED - House Bill 502
Amendments suggested

HB502: "Requiring members of a board of directors or certain officers of a council of unit owners to successfully complete a certain training curriculum."

Regency Park is a community of 60 homes, including many residents past retirement age. It is difficult enough to get volunteers to serve on the Board, which takes considerable time and provides no compensation. It is not clear what would be involved in the required training courses--how long they would take, whether they would require travel to participate, and what the cost would be. Also, what is "successful" completion? Is a test required? Moreover, the course must be repeated every 3 years.

If training is required, and particularly if there is a cost involved and/or it involves more than a couple of hours, it would be difficult, if not impossible, to get a full complement to serve on the Board. Further, Our Board members are provided with complete information upon joining, and our Board has access to an HOA specialist attorney as needed. Further, there are 6 sub-committees (Architectural, Bylaws, Landscape, Finance, Recreation, and Welcoming) that involve community members who participate and advise the 9-member Board. Certainly, it would be helpful if there was an entity that provided the training at no cost, and we'd encourage Board members to take it, but we oppose the idea of this being mandatory.

If it's the Committee's inclination to pass this bill – and we still prefer you don't - then please consider these amendments which make implementation less onerous, fairer, and more manageable. Note that these amendments track and are based on current state law.

Amendment #1: Follow current state law for public bodies that at least one member of "Council of Unit Owners" be required to be certified in this manner. Our board has 9 members, and we know of other communities that have even more. To make every single member, including those who might only be serving a portion of a term, to do this is burdensome and would discourage diversity of participation. **As this works for these "public bodies" why should the requirements for non-public volunteer citizen organizations be made more onerous? Current law is cited below:**

§3-213.

(a) This section does not apply to a public body that is:

- (1) in the Judicial Branch of State government; or*
- (2) subject to governance by rules adopted by the Supreme Court of Maryland.*

(b) Each public body shall designate at least one individual who is an employee, an officer, or a member of the public body to receive training on the requirements of the open meetings law.

(c) Within 90 days after being designated under subsection (b) of this section, an individual shall complete a class on the open meetings law.

Amendment #2: Cancel the recertification requirement. There is no such requirement in §3–213. *So again, why should volunteer community boards face a higher standard?* Rules regarding open meetings just don't change that much or that often.

Thank you for your consideration, and we are available to discuss this with you.

Nancy Wodka, J.D., Regency Park Board President, <nancywodka@comcast.net>

Dan Morhaim, M.D., Regency Park Board Secretary, <danmorhaim@gmail.com>