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## Senate of Pennsylvania

August 14, 2008

Luzerne County Commissioners  
Luzerne County Courthouse  
200 North River Street  
Wilkes-Barre, PA 18702

Dear Commissioners:

As we all know, the reassessment of properties in Luzerne County has raised a lot of questions and stirred considerable controversy. While that is not uncommon, reports about the manner in which the Luzerne County Board of Assessment Appeals conducts its business have greatly compounded public concerns about the fairness and validity of the entire reassessment process.

An individual or family who files an appeal to their assessment already believes they have not been treated fairly. To have the appeal heard and considered in a secretive process is at odds with open government laws and further weakens citizens' confidence in county government.

I strongly disagree with the position voiced by Appeals Board Chairman Andrew Shiner that assessment votes do not have to be taken in public. His selective and inaccurate reading of state law is unfair to our citizens and invites litigation that will ultimately put additional expense on county taxpayers.

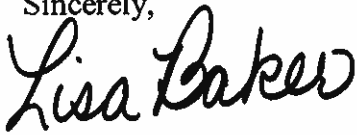
It is not up to a governmental entity to decide whether Sunshine requirements apply to its own proceedings. When the state Sunshine Law was extensively rewritten in the 1980s, the purpose was to bring deliberations leading to official decision-making into public view. The General Assembly established a definition of public agency designed to encompass not just the governmental body, but the many related bodies working under its auspices.

To my knowledge, there is nothing in law that exempts assessment appeals boards from Sunshine, and nothing that allows assessment law to supersede open meeting requirements. The failure to publicly advertise the meetings also appears to violate Sunshine requirements.

If the spirit of the Sunshine Law is observed, any votes on appeals should be taken publicly, and the reasons supporting each decision should be recorded and available for public review. No single step will remove the conflict and contention from the reassessment process entirely. But a process that is conducted openly and in compliance with state law is preferable to what exists in Luzerne County today.

I encourage you to ensure that the assessment appeals process is conducted in concert with Sunshine requirements and consistent with the public interest, as the taxpayers define it.

Sincerely,

A handwritten signature in black ink that reads "Lisa Baker". The signature is written in a cursive, flowing style.

Lisa Baker  
Senator