



Montgomery  
County Council

**Committee GO**

**Staff:** Robert H. Drummer, Senior Legislative Attorney

**Purpose:** To introduce agenda item – no vote expected

**Keywords:** #InspectorGeneralStaff

AGENDA ITEM #13

January 14, 2020

Public Hearing

**SUBJECT**

Expedited Bill 40-19, Inspector General – Staff - Amendments

Lead Sponsor: then-Council President Navarro, Councilmember Friedson and then-Council Vice President Katz (GO Committee)

**EXPECTED ATTENDEES**

None

**COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION**

- Public Hearing – no vote expected.

**DESCRIPTION/ISSUE**

Bill 40-19 would authorize the Inspector General to hire one or more deputies as a term merit employee and other staff of the Office as a merit employee.

**SUMMARY OF KEY DISCUSSION POINTS**

- The operation of the Office of the Inspector General.

**This report contains:**


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**MEMORANDUM**

January 9, 2020

TO: County Council

FROM: Robert H. Drummer, Senior Legislative Attorney 

SUBJECT: Expedited Bill 40-19, Inspector General – Staff - Amendments

PURPOSE: Public Hearing – no Council votes required

Expedited Bill 40-19, Inspector General – Staff - Amendments, sponsored by Lead Sponsors then-Council President Navarro, Councilmember Friedson and then-Council Vice President Katz (GO Committee), was introduced on December 3, 2019. Action is tentatively scheduled for January 21, 2020.<sup>1</sup>

Bill 40-19 would authorize the Inspector General to hire one or more deputies as a term merit employee and other staff of the Office as a merit employee. Under current law the Inspector General must hire each staff member as a term merit employee with a maximum term that ends at the same time as the 4-year term of the Inspector General. This requires a new Inspector General to start her term with no existing staff members or institutional experience. It also makes it more difficult to recruit staff when an Inspector General is appointed to either a new term or to complete the term of an Inspector General who leaves early.

Bill 40-19 would create a middle ground for the appointment of staff. The Inspector General would be required to appoint one or more deputies as a term merit employee but would be permitted to hire all other staff as merit employees. The Bill would require existing term merit staff members to continue in that status until their current term ends. They could be rehired as a merit employee after the end of their term. The Inspector General could fill new vacancies under the Bill as soon as the law takes effect.

The OMB Director concluded that the Bill would have no fiscal impact on the County's budget and the Finance Director concluded that the Bill would not affect the County's economy. See the FEIS at ©4-7.<sup>2</sup>

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<sup>1</sup>#InspectorGeneralStaff

<sup>2</sup> The Fiscal Impact Statement erroneously states that the current term merit employees in the OIG "do not receive equivalent pay per the General Salary/MLS schedules." All term merit employees are paid under the same General Salary/MLS schedules as a full-time merit employee. We do not believe this misstatement changes the conclusion that the Bill would have no fiscal impact.

Expedited Bill No. 40-19  
Concerning: Inspector General – Staff -  
Amendments  
Revised: November 19, 2019 Draft No.1  
Introduced: December 3, 2019  
Expires: June 3, 2021  
Enacted: [date]  
Executive: [date signed]  
Effective: [date takes effect]  
Sunset Date: None  
Ch. [#], Laws of Mont. Co. [year]

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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Lead Sponsors: then-Council President Navarro, Councilmember Friedson and then-Council Vice-President Katz

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**AN EXPEDITED ACT** to:

- (1) authorize the Inspector General to hire one or more deputies as a term merit employee;
- (2) authorize the Inspector General to hire other staff of the Office as a merit employee;  
and
- (3) generally amend the law governing the staff of the Inspector General.

By amending

Montgomery County Code  
Chapter 2, Administration  
Section 2-151

<b>Boldface</b>	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

*The County Council for Montgomery County, Maryland approves the following Act:*



## LEGISLATIVE REQUEST REPORT

Expedited Bill 40-19  
*Inspector General – Staff - Amendments*

**DESCRIPTION:** Bill 40-19 would authorize the Inspector General to hire one or more deputies as a term merit employee and other staff of the Office as a merit employee.

**PROBLEM:** Under current law the Inspector General must hire each staff member as a term merit employee with a maximum term that ends at the same time as the 4-year term of the Inspector General. This requires a new Inspector General to start her term with no existing staff members or institutional experience. It also makes it more difficult to recruit staff when an Inspector General is appointed to either a new term or to complete the term of an Inspector General who leaves early.

**GOALS AND OBJECTIVES:** To improve the operation of the Office of Inspector General.

**COORDINATION:** Inspector General

**FISCAL IMPACT:** To be provided

**ECONOMIC IMPACT:** To be provided

**EVALUATION:** To be provided

**EXPERIENCE ELSEWHERE:** Unknown

**SOURCE OF INFORMATION:** Robert H. Drummer, Senior Legislative Attorney

**APPLICATION WITHIN MUNICIPALITIES:** N/A

**PENALTIES:** N/A



ROCKVILLE, MARYLAND

MEMORANDUM

December 18, 2019

TO: Sidney Katz, President, County Council

FROM: Richard S. Madaleno, Director, Office of Management and Budget *RSM*  
Michael Coveyou, Acting Director, Department of Finance *mc*

SUBJECT: FEIS for Bill 40-19, Inspector General – Staff - Amendments

Please find attached the Fiscal and Economic Impact Statements for the above-referenced legislation.

RSM:cm

c: Andrew Kleine, Chief Administrative Officer  
Fariba Kassiri, Deputy Chief Administrative Officer  
Caroline Sturgis, Assistant Chief Administrative Officer  
Debbie Spielberg, Special Assistant to the County Executive  
Dale Tibbitts, Special Assistant to the County Executive  
Lisa Austin, Office of the County Executive  
Barry Hudson, Director, Public Information Office  
Rob Hagedoorn, Department of Finance  
Dennis Hetman, Department of Finance  
David Platt, Department of Finance  
Monika Coble, Office of Management and Budget  
Chrissy Mireles, Office of Management and Budget  
Philip Weeda, Office of Management and Budget

**Fiscal Impact Statement**  
**Bill 40-19, Inspector General – Staff – Amendments**

**1. Legislative Summary**

Bill 40-19 would authorize the Inspector General to hire one or more deputies as a term merit employee and other staff of the office as a merit employee.

The Office of the Inspector General (OIG) does not believe that Council Bill 40-19 will cause a fiscal impact on its organization. The OIG staff is presently appointed as full-time, term, and merit employees. As such, the staff does not receive equivalent pay per the General Salary/MLS Schedules. The staff does earn the same paid time off via annual, sick, paid holidays, etc. and are subject to the same 80 hour pay period work schedule. Both the term and permanent positions use the same Office of Human Resources' job classification and position descriptions.

- 2. An estimate of changes in County revenues and expenditures regardless of whether the revenues or expenditures are assumed in the recommended or approved budget. - Includes source of information, assumptions, and methodologies used.**

Not applicable.

- 3. Revenue and expenditure estimates covering at least the next 6 fiscal years.**

Not applicable.

- 4. An actuarial analysis through the entire amortization period for each bill that would affect retiree pension or group insurance costs.**

Not applicable.

- 5. An estimate of expenditures related to County's information technology (IT) systems, including Enterprise Resource Planning (ERP) systems.**

Not applicable.

- 6. Later actions that may affect future revenue and expenditures if the bill authorizes future spending.**

Not applicable.

- 7. An estimate of the staff time needed to implement the bill.**

Not applicable.

- 8. An explanation of how the addition of new staff responsibilities would affect other duties.**

Not applicable.

**9. An estimate of costs when an additional appropriation is needed.**

Not applicable.

**10. A description of any variable that could affect revenue and cost estimates.**

Not applicable.

**11. Ranges of revenue or expenditures that are uncertain or difficult to project.**

Not applicable.

**12. If a bill is likely to have no fiscal impact, why that is the case.**

See response #1.

**13. Other fiscal impacts or comments.**

Not applicable.

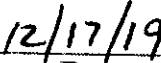
**14. The following contributed to and concurred with this analysis:**

Michael Morgan, Office of the Inspector General

Philip Weeda, Office of Management and Budget



Richard S. Madaleno, Director  
Office of Management and Budget

  
Date



**Economic Impact Statement  
Bill 40-19 Inspector General – Staff Amendments**

**Background:**

Bill 40-19 would authorize the Inspector General to hire one or more deputies as a term merit employee and other staff of the Office as a merit employee.

**1. The sources of information, assumptions, and methodologies used.**

There were no sources of information, assumptions, or methodologies needed in the formulation of this economic impact statement.

**2. A description of any variable that could affect the economic impact estimates.**

There are no variables that could affect the economic impact estimates from this legislation. The goal of the legislation is to create a middle ground for the appointment of staff and improve the operation of the Office of the Inspector General. Under current law the Inspector General must hire each staff member as a term merit employee with a maximum term that ends at the same time as the 4-year term of the Inspector General. This requires a new Inspector General to start their term with no existing staff members or institutional experience. It also makes it more difficult to recruit staff when an Inspector General is appointed to either a new term or to complete the term of an Inspector General who leaves early.

**3. The Bill's positive or negative effect, if any on employment, spending, savings, investment, incomes, and property values in the County.**

The Bill will have no measurable effect on employment, spending, savings, investment, incomes, or property values in the County.

**4. If a Bill is likely to have no economic impact, why is that the case?**

Please see paragraph 3.

**5. The following contributed to or concurred with this analysis:**

David Platt, Dennis Hetman – Department of Finance.

  
\_\_\_\_\_  
Michael Coveyou, Acting Director  
Department of Finance

12/17/19  
Date