

Bill No. 19-09
Concerning: Board of Investment
Trustees - Membership
Revised: May 11, 2009 Draft No. 3
Introduced: April 14, 2009
Enacted: May 13, 2009
Executive: May 21, 2009
Effective: August 20, 2009
Sunset Date: None
Ch. 16, Laws of Mont. Co. 2009

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Council President at the Request of the County Executive

AN ACT to:

- (1) create ~~[[an]]~~ additional ~~[[ex officio member]]~~ members with an indefinite term of office and delete ~~[[an employee member]]~~ certain members of the Board of Investment Trustees;
- (2) amend the law establishing the Board of Investment Trustees; and
- (2) generally amend the law regarding the employees' retirement system.

By amending

Montgomery County Code
Chapter 33, Personnel and Human Resources
Section 33-59

Boldface	<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:

1 **Sec. 1. Section 33-59 is amended as follows:**

2 **Sec. 33-59 Board of Investment Trustees.**

3 * * *

4 (b) Membership.

5 (1) The Board has 13 trustees.

6 (2) The County Executive must appoint [4] ~~[[5]]~~ 4 voting, *ex officio*
7 members of the Board, subject to County Council confirmation
8 as members, who serve indefinitely while each holds the
9 respective office. These *ex officio* trustees should be:

10 (A) the Director of Management and Budget;

11 (B) the Director of Finance;

12 (C) the Director of Human Resources; ~~[and]~~ and

13 (D) the Staff Director of the County Council~~[.]~~~~[[;]]~~ [[and]];

14 (3) The County Executive must appoint 2 voting certified
15 employee organization representatives, subject to County
16 Council confirmation, as members of the Board, who serve
17 indefinitely while each remains the designee of the certified
18 employee representative. These trustees must not vote on any
19 matter involving the County deferred compensation plan.
20 These trustees should be:

21 ~~[[E]]~~ (A) one representative nominated by the employee
22 organizations certified as the representative for the
23 Office, Professional, and Technical (OPT) and Service,
24 Labor and Trades (SLT) bargaining units ~~[[This trustee~~
25 may not vote on any matter involving the County
26 deferred compensation plan]]; and

27 ~~[[F]]~~ (B) one representative nominated by the employee
 28 organization certified as the representative for the fire
 29 and rescue employee unit.

30 ~~[[3]]~~ (4) The following [9] ~~[[8]]~~ 7 trustees must be appointed by
 31 the Executive and confirmed by the Council:

32 (A) [Three] ~~[[Two]]~~ One active County ~~[[employees, one~~
 33 [each] of whom]] employee who is a member of [a
 34 different collective bargaining unit] an employee
 35 organization certified under Article V ~~[[and one of whom~~
 36 is a member of an employee organization certified under
 37 Article X]], and who ~~[[are]]~~ is a vested ~~[[members]]~~
 38 member of the retirement system, or ~~[[individuals]]~~ an
 39 individual recommended by ~~[[each]]~~ the employee
 40 organization certified under ~~[[Articles]]~~ Article V ~~[[, [VII,~~
 41 or] and X]]. ~~[[Each]]~~ The employee organization may
 42 recommend 3 to 5 individuals for the respective trustee
 43 position. Before appointing ~~[[these trustees]]~~ this trustee,
 44 the Executive must consider, and should select from, the
 45 individuals recommended by the employee
 46 ~~[[organizations]]~~ organization. ~~[[The Executive must not~~
 47 appoint more than one person from each employee
 48 organization.]] The Executive must notify the Council
 49 when appointing an individual not recommended by an
 50 employee organization. A 3-year term for ~~[[these~~
 51 trustees]] this trustee ends on March 1 of every third year
 52 after each trustee is confirmed by the Council. Any
 53 trustee appointed under this subparagraph must not vote

54 on any matter involving the County deferred
55 compensation plan.

56 * * *

57 *Approved:*

58

59 Philip M. Andrews May 15, 2009
Philip M. Andrews, President, County Council Date

60 *Approved:*

61 Isiah Leggett May 21, 2009
Isiah Leggett, County Executive Date

62 *This is a correct copy of Council action.*

63 Linda M. Lauer June 1, 2009
Linda M. Lauer, Clerk of the Council Date