

M E M O R A N D U M

TO: County Council

FROM: *MF* Michael Faden, Senior Legislative Attorney

SUBJECT: **Introduction:** Bill 33-09, Inspector General - Attorney

Bill 33-09, Inspector General - Attorney, sponsored by Councilmember Ervin, Council President Andrews, and Councilmembers Navarro, Floreen, and Knapp, is scheduled to be introduced on September 15, 2009. A public hearing is tentatively scheduled for October 6 at 1:30 p.m.

Bill 33-09 would authorize the Inspector General to employ or retain an independent attorney, with Council approval, without the approval of the County Attorney.

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Bill No. 33-09
Concerning: Inspector General - Attorney
Revised: 8-10-09 Draft No. 1
Introduced: September 15, 2009
Expires: March 15, 2011
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: None
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Councilmember Ervin, Council President Andrews and Councilmembers Navarro, Floreen and Knapp

AN ACT to:

- (1) authorize the Inspector General to employ or retain an independent attorney; and
- (2) generally amend the County law regarding the Inspector General.

By amending

Montgomery County Code
Chapter 2, Administration
Section 2-151, Inspector General

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:

27 outside the Office of the County Attorney, without the approval
28 of the County Attorney if:

29 (A) the Inspector General finds that obtaining independent
30 legal services is necessary to effectively perform his or her
31 duties; and

32 (B) the County Council approves the Inspector General's
33 decision to obtain independent legal services and
34 appropriates sufficient funds to cover the cost of the legal
35 services.

36 * * *

37 *Approved:*

38 _____
Philip M. Andrews, President, County Council Date

39 *Approved:*

40 _____
Isiah Leggett, County Executive Date

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

42 _____
Linda M. Lauer, Clerk of the Council Date

LEGISLATIVE REQUEST REPORT

Bill 33-09

Inspector General - Attorney

DESCRIPTION: Authorizes the Inspector General to employ or retain an independent attorney.

PROBLEM: In some circumstances, because of institutional differences or otherwise, the inspector General may find that obtaining independent legal services is necessary to effectively perform his or her duties.

GOALS AND OBJECTIVES: Continue to improve the efficiency and effectiveness of the Office of the Inspector General.

COORDINATION: Office of Inspector General, County Attorney, County Council

FISCAL IMPACT: To be requested.

ECONOMIC IMPACT: Minimal

EVALUATION: To be researched

EXPERIENCE ELSEWHERE: To be researched

SOURCE OF INFORMATION: Michael Faden, Senior Legislative Attorney, 240-777-7905

APPLICATION WITHIN MUNICIPALITIES: Applies only to County Inspector General.

PENALTIES: Not applicable

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