

MEMORANDUM

TO: County Council

FROM:  Michael Faden, Senior Legislative Attorney

SUBJECT: **Public Hearing:** Expedited Bill 46-14, Structure of County Government - Non-merit Positions - Commission for Women

Expedited Bill 46-14, Structure of County Government - Non-merit Positions - Commission for Women, sponsored by the Council President at the request of the County Executive, was introduced on September 30, 2014. A Government Operations and Fiscal Policy Committee worksession will be scheduled at a later date.

Bill 46-14 would designate the position of Executive Director of the Office of the Commission for Women as a non-merit position.

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Expedited Bill No. 46-14
Concerning: Structure of County
Government – Non-merit Positions –
Commission for Women
Revised: 9-24-14 Draft No. 2
Introduced: September 30, 2014
Expires: March 30, 2016
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: None
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Council President at the Request of the County Executive

AN EXPEDITED ACT to:

- (1) designate the position of Executive Director of the Office of the Commission for Women as a non-merit position; and
- (2) generally amend the laws governing non-merit positions in the Executive Branch.

By amending

Montgomery County Code
Section 1A-204

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:

LEGISLATIVE REQUEST REPORT

Expedited Bill 46-14

Structure of County Government – Non-merit Positions –Commission for Women

DESCRIPTION: The requested legislation amends the law governing non-merit positions in the Executive Branch by designating the position of Executive Director of the Office of the Commission for Women as a non-merit position. The bill would not be implemented for a position encumbered by a merit system employee until the incumbent leaves the position.

PROBLEM: Certain high-level merit system positions in the Executive Branch are responsible for ensuring that the programs and policies of the County Executive are implemented or communicated to the public. The Director of the Office of the Commission for Women administers programs, primarily counseling services. However, the County Executive does not have a direct role in filling this position. Heads of departments and principal offices of the Executive Branch have long been designated by law as non-merit positions. Based on the considerable program management responsibility that this position has, the County Executive proposes to convert the position to a non-merit position to make it more accountable.

GOALS AND OBJECTIVES: To bring about more accountability and responsibility and to give the County Executive greater flexibility in filling the position of Director of the Office of the Commission for Women.

COORDINATION: Office of Human Resources

FISCAL IMPACT: Office of Management and Budget

ECONOMIC IMPACT: n/a

EVALUATION: n/a

EXPERIENCE ELSEWHERE: n/a

SOURCE OF INFORMATION: Stuart Weisberg OHR, 240-777-5154

APPLICATION WITHIN MUNICIPALITIES: n/a

PENALTIES: n/a



OFFICE OF THE COUNTY EXECUTIVE
ROCKVILLE, MARYLAND 20850

Isiah Leggett
County Executive

MEMORANDUM

September 23, 2014

TO: Craig Rice, President
Montgomery County Council

FROM: Isiah Leggett, County Executive 

SUBJECT: Expedited Bill to Designate the Director of the Office of the Commission for Women as a Non-merit Position

I am attaching for Council introduction an Expedited Bill to amend the County Code governing non-merit positions in the Executive Branch by designating the position of Executive Director of the Office of the Commission for Women as a non-merit position.

The purpose of this bill is to bring about more accountability and responsibility in government. The Director of the Office of the Commission for Women administers programs, primarily counseling services. However, the County Executive does not have a direct role in filling this position. I believe that a County Executive needs flexibility in filling senior level positions in the Executive Branch to create a cohesive and efficient management team. Heads of departments and principal offices of the Executive Branch have long been designated by law as non-merit positions. I intend to follow the current hiring process to ensure that the candidate selected has the subject matter expertise and relevant experience required to successfully carry out the responsibilities of the position. Additionally, the confirmation process for non-merit positions affords the County Council the opportunity to interview the nominee prior to confirmation. For purposes of uniformity and consistency, I am proposing that the position of Executive Director be made a non-merit position. This bill is being introduced at this time because the Executive Director position is currently vacant.

IL: sw

Attachments



ROCKVILLE, MARYLAND

MEMORANDUM

July 25, 2012 ⁴

TO: Timothy L. Firestine, Chief Administrative Officer

FROM: Jennifer A. Hughes, Director, Office of Management and Budget
Joseph F. Beach, Director, Department of Finance

SUBJECT: CE Bill XX-14 – Structure of County Government – Non-merit Positions – Director,
Office the Commission for Women

Please find attached the fiscal and economic impact statement for the above-referenced legislation.

JAH:fz

Attachment

cc: Bonnie Kirkland, Assistant Chief Administrative Officer
Lisa Austin, Offices of the County Executive
Joy Nurmi, Special Assistant to the County Executive
Patrick Lacefield, Director, Public Information Office
Michael Coveyou, Department of Finance
David Platt, Department of Finance
Alex Espinosa, Office of Management and Budget
Corey Orlosky, Office of Management and Budget
Naeem Mia, Office of Management and Budget
Felicia Zhang, Office of Management and Budget

Fiscal Impact Statement
Bill XX-14 & Structure of County Government - Non-merit Positions - Director, Office of the Commission for Women

1. Legislative Summary.

This proposed legislation would designate the position of Director, Office of the Commission for Women as a non-merit position after the position incumbent leaves the position.

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.

The proposed legislation changes the position to non-merit system status, which comes with a change to the pay band used for the position. The position is currently in the MI pay band. The existing salary range for County employees in a non-merit system position overlaps the MI pay band, but can be higher than the MI maximum. Therefore, while this legislation does not increase the salary of the position, it is possible that a future appointment to the position could receive higher compensation than currently possible. The amount cannot be estimated at this time.

This proposed legislation would have no impact on revenues.

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

The proposed legislation would allow this position to be in a pay band with greater earning potential than currently possible in the MI pay band, but the possible amount is indeterminate.

There would be no estimated changes to revenues in the next 6 fiscal years as a result of this proposed legislation.

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

Not applicable

5. Later actions that may affect future revenue and expenditures if the bill authorizes future spending.

Not applicable

6. An estimate of the staff time needed to implement the bill.

Less than one hour of staff time would be needed to update the record of the position in Oracle, once the incumbent leaves the position.

7. An explanation of how the addition of new staff responsibilities would affect other duties.

Not applicable

8. An estimate of costs when an additional appropriation is needed.

An additional appropriation is not needed to implement the bill.

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

Economic Impact Statement
**Bill ##-14, Structure of County Government – Non-merit Positions – Executive Director,
Office of the Commission for Women**

Background:

This legislation would designate the position of Executive Director (Director) of the Office of the Commission for Women as a non-merit position. The legislation would not be implemented for a position encumbered by a merit system employee until the incumbent leaves the position. Because the legislation designates the Director as a non-merit position, it has no economic impact.

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

Not applicable.

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

There are no variables under this legislation that could affect the economic impact on the County.

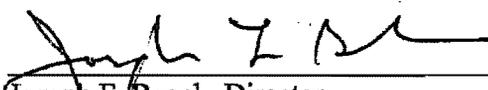
3. The Bill's positive or negative effect, if any on employment, spending, saving, investment, incomes, and property values in the County.

The legislation has no economic impact on the County because it designates the Director as a non-merit position.

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

Please see #3

5. The following contributed to or concurred with this analysis: David Platt and Rob Hagedoorn, Finance.



Joseph F. Beach, Director
Department of Finance

7/17/14

Date