

Climate Assessment

Office of Legislative Oversight

Expedited Bill 29-23: Administration – Non-Merit Positions – Department of Environmental Protection – Department of Transportation

SUMMARY

The Office of Legislative Oversight (OLO) anticipates Bill 29-23 will have no impact on the County's contribution to addressing climate change as the bill proposes to redesignate two merit positions in the Executive branch into two non-merit positions.

BACKGROUND AND PURPOSE OF BILL 29-23

The Purpose of Bill 29-23 is to redesignate two merit positions in the Executive Branch into two non-merit positions:

- Deputy Director of Department of Environmental Protection; and
- General Manager of Transit Services in the Department of Transportation.¹

The County Executive provided the following reasons for the proposed redesignations of the two positions:²

- The positions are responsible for public engagement and the implementation of high-impact programs that protect Montgomery County's air, water, and land, and ensure safe and equitable transportation options.
- Designating the two positions as non-merit will improve the effectiveness of County government and ensure full accountability to the County Executive, the County Council, and the taxpayers of Montgomery County.
- The non-merit designation of these positions allows for regular innovation at the senior management level in mission critical departments - the Departments of Environmental Protection and Transportation.

Expedited Bill 29-23, Administration– Non-merit Positions – Department of Environmental Protection – Department of Transportation, was introduced by the Council on behalf of the County Executive on June 20, 2023.

ANTICIPATED IMPACTS

As the bill proposes to designate two existing merit positions to two non-merit positions, OLO anticipates Bill 29-23 will have little to no impact on the County's contribution to addressing climate change, including the reduction and/or sequestration of greenhouse gas emissions, community resilience, and adaptative capacity.

RECOMMENDED AMENDMENTS

The Climate Assessment Act requires OLO to offer recommendations, such as amendments or other measures to mitigate any anticipated negative climate impacts.³ OLO does not offer recommendations or amendments as Bill 29-23 is likely to have little to no impact on the County's contribution to addressing climate change, including the reduction and/or sequestration of greenhouse gas emissions, community resilience, and adaptative capacity.

CAVEATS

OLO notes two caveats to this climate assessment. First, predicting the impacts of legislation upon climate change is a challenging analytical endeavor due to data limitations, uncertainty, and the broad, global nature of climate change. Second, the analysis performed here is intended to inform the legislative process, not determine whether the Council should enact legislation. Thus, any conclusion made in this statement does not represent OLO's endorsement of, or objection to, the bill under consideration.

PURPOSE OF CLIMATE ASSESSMENTS

The purpose of the Climate Assessments is to evaluate the anticipated impact of legislation on the County's contribution to addressing climate change. These climate assessments will provide the Council with a more thorough understanding of the potential climate impacts and implications of proposed legislation, at the County level. The scope of the Climate Assessments is limited to the County's contribution to addressing climate change, specifically upon the County's contribution to greenhouse gas emissions and how actions suggested by legislation could help improve the County's adaptative capacity to climate change, and therefore, increase community resilience.

While co-benefits such as health and cost savings may be discussed, the focus is on how proposed County bills may impact GHG emissions and community resilience.

CONTRIBUTIONS

OLO staffer Kaitlyn Simmons drafted this assessment.

¹ [Memorandum from Khandikile Mvunga Sokoni, Legislative Attorney to County Council. June 15, 2023](#)

² [Memorandum from Marc Elrich, County Executive Legislative Attorney to County Council. April 13, 2023](#)

³ Bill 3-22, Legislative Branch – Climate Assessments – Required, Montgomery County Council, Effective date October 24, 2022