

Racial Equity and Social Justice (RESJ) Impact Statement

Office of Legislative Oversight

EXPEDITED ADMINISTRATION - NON-MERIT POSITIONS – BILL 29-23: DEPARTMENT OF ENVIRONMENTAL PROTECTION- DEPARTMENT OF TRANSPORTATION

SUMMARY

The Office of Legislative Oversight (OLO) anticipates Expedited Bill 29-23 will have little to no impact on racial equity and social justice (RESJ) in the County. Redesignating the two positions from merit to non-merit positions is unlikely to materially impact RESJ in the County.

PURPOSE OF RESJ IMPACT STATEMENTS

The purpose of RESJ impact statements (RESJIS) is to evaluate the anticipated impact of legislation on racial equity and social justice in the County. Racial equity and social justice refer to a **process** that focuses on centering the needs, leadership, and power of communities of color and low-income communities with a **goal** of eliminating racial and social inequities.¹ Achieving racial equity and social justice usually requires seeing, thinking, and working differently to address the racial and social harms that have caused racial and social inequities.²

PURPOSE OF EXPEDITED 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.³

The County Executive provided the following reasons for the proposed redesignations of the two positions:⁴

- 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.

RESJ Impact Statement

Expedited Bill 29-23

ANTICIPATED RESJ IMPACTS

OLO does not anticipate a racial equity and social justice impact for Expedited Bill 29-23 because the proposed redesignation of the two positions from merit to a non-merit position is unlikely to materially impact RESJ in the County.

RECOMMENDED AMENDMENTS

The Racial Equity and Social Justice Act requires OLO to consider whether recommended amendments to bills aimed at narrowing racial and social inequities are warranted in developing RESJ impact statements.⁵ OLO anticipates that Expedited Bill 29-23 will have little to no impact on RESJ in the County. As such, OLO does not offer recommended amendments.

CAVEATS

Two caveats to this racial equity and social justice impact statement should be noted. First, predicting the impact of legislation on racial equity and social justice is a challenging analytical endeavor due to data limitations, uncertainty, and other factors. Second, this RESJ impact statement is intended to inform the legislative process rather than 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.

¹ Definition of racial equity and social justice adopted from “Applying a Racial Equity Lens into Federal Nutrition Programs” by Marlysa Gamblin, et.al. Bread for the World, and from Racial Equity Tools. <https://www.racialequitytools.org/glossary>

² Ibid

³ Memorandum from Khandikile Mvunga Sokoni, Legislative Attorney to County Council. June 15, 2023

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2023/20230620/20230620_1B-3D-3E.pdf

⁴ Memorandum from Marc Elrich, County Executive Legislative Attorney to County Council. April 13, 2023

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2023/20230620/20230620_1B-3D-3E.pdf

⁵ Bill 27-19, Administration – Human Rights – Office of Racial Equity and Social Justice – Racial Equity and Social Justice Advisory Committee – Established, Montgomery County Council