



Ethics Commission

Mission Statement

The Ethics Commission exercises authorities granted to it under the Public Ethics Law to promote the public's trust of County government and to ensure the impartiality of County employees, including elected officials, in the execution of their responsibilities.

Budget Overview

The total approved FY17 Operating Budget for the Ethics Commission is \$574,294, an increase of \$192,287 or 50.34 percent from the FY16 Approved Budget of \$382,007. Personnel Costs comprise 64.25 percent of the budget for three full-time position(s) and no part-time position(s), and a total of 3.00 FTEs. Total FTEs may include seasonal or temporary positions and may also reflect workforce charged to or from other departments or funds. Operating Expenses account for the remaining 35.75 percent of the FY17 budget.

Linkage to County Result Areas

While this program area supports all eight of the County Result Areas, the following is emphasized:

A Responsive, Accountable County Government

Department Performance Measures

Performance measures for this department are included below (where applicable). The FY16 estimates reflect funding based on the FY16 approved budget. The FY17 and FY18 figures are performance targets based on the FY17 approved budget and funding for comparable service levels in FY18.

Measure	Actual FY14	Actual FY15	Estimated FY16	Target FY17	Target FY18
Program Measures					
Number of financial disclosure statements required (calendar year)	2,037	1,651	1,651	1,651	1,651
Number of formal opinions, waivers and guidance (calendar year)	6	17	17	17	17
Number of lobbyists registered (calendar year)	197	230	230	230	230
Number of lobbyist activity reports (calendar year)	249	350	350	350	350
Number of outside employment requests processed (calendar year)	977	1,089	1,089	1,089	1,089

Initiatives

- Coordinating the development of the ethics training program with other key officials in the Office of Human Resources and the Office of the County Attorney.
- Develop and implement a new Financial Disclosure System with the Department of Technology Services.
- Refine the Outside Employment Online System and seek the implementation of an online payment system for lobbyist registration.

Accomplishments

- Successfully launched a robust online system for processing employee requests for outside employment. The system eliminated cumbersome paper processes and records, increased data reliability, and facilitated agency and Ethics Commission review of requests. It applies to all employee requests other than those made by sworn officers of the Department of Police.
- Aligned County financial disclosure and gift legislation in accordance with State requirements.
- Implemented changes in financial disclosure requirements resulting in adjustments made to the financial disclosure system and processes. The Commission coordinated a Countywide review of designations of filing positions, adjustments to financial disclosure

requirements, and adjustments to the electronic system for submission, review, and retention of disclosure statements.

Program Contacts

Contact Robert Cobb, Director of the Ethics Commission at 240-777-6674 or Phil Weeda of the Office of Management and Budget at 240-777-2780 for more information regarding this department's operating budget.

Program Descriptions

Ethics Program Compliance

Financial Disclosure: The Public Ethics Law requires filing of financial disclosure reports by certain County employees. The Ethics Commission administers the electronic filing system for reporting and coordinates with the Office of Human Resources and all County agencies regarding the status of filers. It resolves all anomalous circumstances and questions from filers that routinely arise associated with the filing of financial disclosure reports and the system designed for that purpose.

Outside Employment: The Public Ethics Law requires that County employees obtain approval from the Ethics Commission prior to engaging in any employment other than County employment. The Ethics Commission administers an online process pursuant to which requests are made and reviewed by the employee's agency. The Ethics Commission staff prepares all requests for consideration by the Ethics Commission, including obtaining additional information from requestors and County agencies and conducting preliminary legal analysis of requests. The Ethics Commission approves requests, as appropriate, setting conditions on approval as necessary to ensure compliance with ethics requirements, and staff notifies requestors by letter of the disposition of requests. The Ethics Commission publishes and updates approved Outside Employment information required to be made public by the Public Ethics Law.

Lobbying: The Public Ethics Law requires certain persons who spend or receive over \$500 to communicate with County officials and employees to register as lobbyists and to file semi-annual activity reports with the Ethics Commission. Annual registration fees are required and are paid to the Ethics Commission and processed and deposited in the General Fund. The Ethics Commission publishes and updates information required to be made public by the Public Ethics Law.

Complaints, Investigations, and Hearings: Pursuant to the Public Ethics Laws, the Ethics Commission receives complaints and, as appropriate: conducts investigations, and or hearings, makes findings, and imposes sanctions and penalties if warranted.

Advisory Opinions, Waivers, and Advice: In accordance with the Public Ethics Law, the Ethics Commission answers inquiries on the application of the Ethics Law, publishes opinions, and grants waivers of Ethics Law requirements, as appropriate.

Education: The Ethics Commission conducts public education and other information programs regarding the Ethics Law.

Legislative and Regulatory: The Ethics Commission recommends and prepares new ethics legislation and regulations.

Coordination and Outreach: The Staff of the Ethics Commission coordinates with the Office of the County Attorney and the Office of the Inspector General as necessary on legal and investigative matters; the staff also serves as the principal public resource on the County's ethics laws, to include managing a website that reflects Ethics Commission programs, activities, and publications such as annual reports, approvals of outside employment requests, lobbying data, and waivers and opinions.

Administration: The Staff of the Ethics Commission is responsible for ensuring that Ethics Commission meetings are run in accordance with the Open Meetings Act and other applicable law, and the Ethics Commission members are informed and advised as to all material matters under their jurisdiction; Ethics Commission staff are also responsible for budget, procurement, human resources, and resource management for the operation of the office in accordance with Montgomery County policies, and attend required training in these and other office management areas.

Budget Summary

	Actual FY15	Budget FY16	Estimate FY16	Approved FY17	%Chg Bud/App
COUNTY GENERAL FUND					
EXPENDITURES					
Salaries and Wages	269,467	281,988	288,202	294,686	4.5 %
Employee Benefits	68,354	73,760	74,035	74,301	0.7 %
County General Fund Personnel Costs	337,821	355,748	362,237	368,987	3.7 %
Operating Expenses	23,375	26,259	17,831	205,307	681.9 %
County General Fund Expenditures	361,196	382,007	380,068	574,294	50.3 %
PERSONNEL					
Full-Time	3	3	3	3	---
Part-Time	0	0	0	0	---
FTEs	3.00	3.00	3.00	3.00	---
REVENUES					
Miscellaneous Revenues	30,500	25,000	25,000	30,000	20.0 %
County General Fund Revenues	30,500	25,000	25,000	30,000	20.0 %

FY17 Approved Changes

	Expenditures	FTEs
COUNTY GENERAL FUND		
FY16 ORIGINAL APPROPRIATION	382,007	3.00
<u>Changes (with service impacts)</u>		
Add: Replacement Financial Disclosure System [Ethics Program Compliance]	180,000	0.00
<u>Other Adjustments (with no service impacts)</u>		
Increase Cost: Annualization of FY16 Personnel Costs	10,389	0.00
Increase Cost: FY17 Compensation Adjustment	3,752	0.00
Increase Cost: Group Insurance Adjustment	1,875	0.00
Increase Cost: Printing and Mail	48	0.00
Shift: Telecommunications to the Telecommunications Non-Departmental Account	(1,000)	0.00
Decrease Cost: Retirement Adjustment	(2,777)	0.00
FY17 APPROVED	574,294	3.00

Future Fiscal Impacts

Title	CC APPROVED (\$000s)					
	FY17	FY18	FY19	FY20	FY21	FY22
COUNTY GENERAL FUND						
EXPENDITURES						
FY17 Approved	574	574	574	574	574	574
No inflation or compensation change is included in outyear projections.						
Elimination of One-Time Items Approved in FY17	0	(162)	(162)	(162)	(162)	(162)
Items recommended for one-time funding in FY17, including the Financial Disclosure System will be eliminated from the base in the outyears.						
Labor Contracts	0	2	2	2	2	2
These figures represent the estimated annualized cost of general wage adjustments, service increments, and other negotiated items.						
Subtotal Expenditures	574	414	414	414	414	414

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