



Ethics Commission

Recommended FY18 Budget

\$429,607

Full Time Equivalents

3.00

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 recommended FY18 Operating Budget for the Ethics Commission is \$429,607, a decrease of \$144,687 or 25.19 percent from the FY17 Approved Budget of \$574,294. This reduction is primarily due to the elimination of FY17 one-time expenses. Personnel Costs comprise 89.95 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 10.05 percent of the FY18 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 FY17 estimates reflect funding based on the FY17 approved budget. The FY18 and FY19 figures are performance targets based on the FY18 recommended budget and funding for comparable service levels in FY19.

Measure	Actual FY15	Actual FY16	Estimated FY17	Target FY18	Target FY19
Program Measures					
Number of financial disclosure statements required (calendar year)	1,651	1,702	1,702	1,702	1,702
Number of formal opinions, waivers and guidance (calendar year)	17	28	28	28	28
Number of lobbyists registered (calendar year)	230	262	262	262	262
Number of lobbyist activity reports (calendar year)	350	372	372	372	372
Number of outside employment requests processed (calendar year)	1,089	1,568	1,568	1,568	1,568

Initiatives

- Implementing systemic ethics training for County employees.
- Implementing an online payment system for lobbying registration.

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- ★ In collaboration with the Department of Technology Services, developing specifications for, and overseeing the building of, a new online financial disclosure filing system to replace the existing, obsolete system.
 - ★ The Commission will seek to have new regulations concerning Commission processes, outside employment approval, misuse of position, gifts, and financial disclosure statements adopted and implemented this year.

Accomplishments

- ✓ The Commission established new policies for outside employment resulting in increased program reliability and transparency. The number of outside employment requests sharply increased during the year as a result of the ease of use of the online system established in 2015 and the new policies.
- ✓ Review of outside employment requests resulted in a substantial increase in requests for waivers from employees seeking to engage in outside employment with entities that contract with the requesting employee's department.
- ✓ The Commission proposed new regulations addressing Commission processes and several aspects of the Public Ethics Law.
- ✓ The Commission implemented several changes to the financial disclosure requirements and filing processes as a result of the October 2015 amendments to the Public Ethics Law.

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 FY16	Budget FY17	Estimate FY17	Recommended FY18	%Chg Bud/Rec
COUNTY GENERAL FUND					
EXPENDITURES					
Salaries and Wages	290,709	294,686	300,386	312,090	5.9 %
Employee Benefits	74,197	74,301	74,610	74,355	0.1 %
County General Fund Personnel Costs	364,906	368,987	374,996	386,445	4.7 %
Operating Expenses	17,573	205,307	205,271	43,162	-79.0 %
County General Fund Expenditures	382,479	574,294	580,267	429,607	-25.2 %
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	32,000	30,000	30,000	30,000	—
County General Fund Revenues	32,000	30,000	30,000	30,000	—

FY18 RECOMMENDED CHANGES

	Expenditures	FTEs
COUNTY GENERAL FUND		
FY17 ORIGINAL APPROPRIATION	574,294	3.00

FY18 RECOMMENDED CHANGES

	Expenditures	FTEs
Other Adjustments (with no service impacts)		
Increase Cost: Annualization of FY17 Personnel Costs	9,529	0.00
Increase Cost: FY18 Compensation Adjustment	7,609	0.00
Increase Cost: Annualization of FY17 Compensation Increases [Ethics Program Compliance]	2,085	0.00
Decrease Cost: Printing and Mail	(145)	0.00
Decrease Cost: Retirement Adjustment	(1,765)	0.00
Decrease Cost: Elimination of One-Time Items Approved in FY17 [Ethics Program Compliance]	(162,000)	0.00
FY18 RECOMMENDED	429,607	3.00

FUTURE FISCAL IMPACTS

CE RECOMMENDED (\$000S)

Title	FY18	FY19	FY20	FY21	FY22	FY23
COUNTY GENERAL FUND						
EXPENDITURES						
FY18 Recommended	430	430	430	430	430	430
No inflation or compensation change is included in outyear projections.						
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	430	432	432	432	432	432