
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 recommended FY13 Operating Budget for the Ethics Commission is \$252,586, an increase of \$61,156 or 31.9 percent from the FY12 Approved Budget of \$191,430. Personnel Costs comprise 75.7 percent of the budget for two full-time positions for two FTEs. Operating Expenses account for the remaining 24.3 percent of the FY13 budget.

LINKAGE TO COUNTY RESULT AREAS

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

- ❖ ***A Responsive, Accountable County Government***

ACCOMPLISHMENTS AND INITIATIVES

- ❖ ***In collaboration with the Chief Administrative Officer, the Commission developed and obtained all parties' approval for permanent transfer of the responsibility for the Financial Disclosure System from the Ethics Commission to the CAO, who is reassigning responsibilities as appropriate. This transfer will be implemented Spring/Summer of 2012. This transfer will better align operational responsibility with functional responsibilities and result in accountability for system performance resting with those with the power and authority to resolve issues.***
- ❖ ***The Executive Director Position was abolished and a new upgraded Chief Counsel/Staff Director position was established and filled.***
- ❖ ***The Commission staff is reviewing all of the Commission's programs, policies, and practices in order to assure compliance with statutory mandates and establish greater efficiency in management of operations.***
- ❖ ***The Commission staff is pursuing efforts to computerize and streamline the processes for employees to request outside employment and for lobbyists to be able to register and report online.***
- ❖ ***The Commission is engaged in a review of the Public Ethics Law with a view toward recommending such changes to the law as are required to bring the law into compliance with State ethics law mandates.***

PROGRAM CONTACTS

Contact Robert Cobb 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 prepares and distributes financial disclosure forms and maintains reports filed by employees; it administers the electronic filing system for reporting and coordinates with the Office of Human Resources and all County agencies as regards to the status of filers, and resolves all anomalous circumstances and questions from filers that routinely arise associated with the filing of financial disclosure reports and the administration of 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 prepares and makes available Outside Employment request forms and administers a process pursuant to which agency approvals are obtained. The Ethics Commission staff prepares all requests for consideration by the Ethics Commission, to include 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, conducts hearings, makes findings, and imposes sanctions and penalties if warranted.

Advisory Opinions, Waivers, 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 County Attorney's Office 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 assuring 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 FY11	Budget FY12	Estimated FY12	Recommended FY13	% Chg Bud/Rec
COUNTY GENERAL FUND					
EXPENDITURES					
Salaries and Wages	157,559	154,010	151,708	156,010	1.3%
Employee Benefits	74,099	30,770	21,026	35,296	14.7%
County General Fund Personnel Costs	231,658	184,780	172,734	191,306	3.5%
Operating Expenses	19,090	6,650	20,611	61,280	821.5%
Capital Outlay	0	0	0	0	—
County General Fund Expenditures	250,748	191,430	193,345	252,586	31.9%
PERSONNEL					
Full-Time	2	2	2	2	—
Part-Time	0	0	0	0	—
FTEs	2.00	2.00	2.00	2.00	—
REVENUES					
Miscellaneous Revenues	8,572	0	0	0	—
Other Charges/Fees	0	25,000	15,000	15,000	-40.0%
County General Fund Revenues	8,572	25,000	15,000	15,000	-40.0%

FY13 RECOMMENDED CHANGES

	Expenditures	FTEs
COUNTY GENERAL FUND		
FY12 ORIGINAL APPROPRIATION	191,430	2.00
Changes (with service impacts)		
Enhance: Web-based Lobbying Registration Application	54,900	0.00
Other Adjustments (with no service impacts)		
Increase Cost: Retirement Adjustment	2,698	0.00
Increase Cost: Lump Sum Wage Adjustment	2,153	0.00
Increase Cost: Group Insurance Adjustment	1,675	0.00
Decrease Cost: Printing and Mail Adjustment	-40	0.00
Shift: Help Desk - Desk Side Support to the Desktop Computer Modernization NDA	-230	0.00
FY13 RECOMMENDED:	252,586	2.00

FUTURE FISCAL IMPACTS

Title	CE REC.			(\$000's)		
	FY13	FY14	FY15	FY16	FY17	FY18
This table is intended to present significant future fiscal impacts of the department's programs.						
COUNTY GENERAL FUND						
Expenditures						
FY13 Recommended	253	253	253	253	253	253
No inflation or compensation change is included in outyear projections.						
Elimination of One-Time Lump Sum Wage Adjustment	0	-2	-2	-2	-2	-2
This represents the elimination of the one-time lump sum wage increases paid in FY13.						
Subtotal Expenditures	253	250	250	250	250	250

